



Ohio Administrative Code

Rule 3775-1-01 Definitions.

Effective: [October 15, 2022](#)

(A) The words and terms defined in section 3775.01 of the Revised Code are used in this agency as they are defined in that section, unless otherwise specified.

(B) As used in Chapter 3775. of the Revised Code and the rules adopted thereunder, the following words have the following meanings, unless the context clearly indicates otherwise:

(1) "Advertisement" means a notice, announcement, or communication to the public, or any specific member(s) thereof, made by a sports gaming proprietor or on its behalf, designed to solicit or entice a person to participate in the sports gaming offerings of a sports gaming proprietor through broadcasting, publication, or any other means of dissemination in this state.

(2) "Affiliate marketer" means a person who conducts promotion, marketing, advertising or patron recruitment for a sports gaming proprietor in this state either:

(a) Through a website or mobile application; or

(b) In exchange for a commission or variable fee based upon the number of users recruited, wagering activity generated, revenue generated, or any other metric.

(3) "Application" means the total written materials, including the instructions, forms, and other documents issued by the commission, comprising an applicant's request for a license.

(4) "Appointing professional sports organization" means a professional sports organization that is a member of a league, association, or organization that prevents the professional sports organization from being subject to the regulatory control of the Ohio casino control commission or from otherwise operating under a sports gaming proprietor license.

(5) "Beneficial and proprietary interest" means a direct or indirect interest of five per cent or more.



(6) "Conduct" means to back, promote, organize, manage, carry on, sponsor, or prepare for the operation of sports gaming in this state and includes participating in the conduct at issue.

(7) "License" or "plenary license" means the complete and approved document issued by the commission that indicates that an applicant has been chosen for licensure and has met all requirements set forth in Chapter 3775. of the Revised Code and the rules adopted thereunder.

(8) "Licensee" means any person who holds a valid plenary or provisional license.

(9) "Person" has the same meaning as in section 3772.01 of the Revised Code.

(10) "Person in control" means any person meeting division (C) of sections 3775.03 of the Revised Code but does not include persons in control of an appointing professional sports organization.

(11) "Provisional license" means a complete and approved document issued by the Commission that indicates an applicant has been chosen for temporary licensure in accordance with Section 4 of Amended House Bill 29 of the 134th General Assembly.

(12) "Sports gaming employee" means any individual required to obtain a sports gaming occupational license under Chapter 3775. of the Revised Code and the rules adopted thereunder.

(13) "Sports gaming equipment" has the same meaning in division (P) of section 3775.01 of the Revised Code, but does not include any device, software, or component that does not affect the operational integrity of sports gaming, as determined by the executive director.

(14) "Sports gaming proprietor" has the same meaning as in division (T) of section 3775.01 of the Revised Code and includes "mobile management services provider" and "management services provider" to the extent any sports gaming proprietor has contracted its rights, duties, and liabilities to the mobile management services provider or management services provider under division (E) of sections 3775.05 and 3775.051 of the Revised Code.

(15) "Sports gaming system" means:



(a) The sports gaming equipment necessary to allow a participant to place, review, or modify wagers, as allowed by the sports gaming proprietor, as well as be paid for winning wagers;

(b) The sports gaming equipment the proprietor uses to review, manage, and report information related to user accounts, wager placement, or wager outcome. This does not include the equipment or communications technology simply used to access the sports gaming system or the intermediary software that connects the user to their financial institution; and

(c) Any other sports gaming equipment that the executive director determines is related to the sports gaming system.

(16) "Suspicious sports gaming activity" means unusual sports gaming activity that cannot be explained and is indicative of any of the following: match fixing, the manipulation of a sport, misuse of inside information, a potential breach of a sports governing body's internal rules or code of conduct pertaining to sports gaming, any other conduct that corrupts the outcome of a sport, and any other prohibited activity.

(17) "Unusual sports gaming activity" means an abnormal betting or wagering activity or pattern exhibited by a patron or patrons. This activity or pattern may include abnormal wager amounts or changes to wager volume based upon expected wager amount, sport type, or wager type.