



Ohio Administrative Code Rule 3775-1-05 Records retention.

Effective: June 15, 2022

(A) Unless otherwise required by Chapter 3775. of the Revised Code or any rules adopted thereunder, each sports gaming proprietor, mobile management services provider, management services provider, and supplier must retain and maintain, in a place secure from theft, loss, or destruction, all the records required to be maintained by Chapter 3775. of the Revised Code or the rules adopted thereunder for at least five years from the date of the records creation, including:

(1) The business and organizational structure of the record holder;

(2) Correspondence, including reports, to or from the commission or any local, state, or federal governmental agency, or foreign gaming regulatory body;

(3) Any acquisition, construction, remodeling, or maintenance of a proposed or existing sports gaming facility in this state;

(4) All transactions and other records related to the lease, purchase, installation, operation, maintenance, or repair of sports gaming equipment stored, maintained, operated, possessed, or otherwise used in conducting sports gaming in this state;

(5) Financial statements, accounting records, ledgers, and internal and external audit records;

(6) Records related to the conduct of sports gaming in this state; and

(7) Any other books, records, or documents the commission requires, in writing, to be retained and maintained.

(B) Each sports gaming proprietor, mobile management services provider, management services provider, and supplier must retain and maintain, in a manner consistent with this rule, the personnel files for all sports gaming employee applicants or licensees for three years from the employment



decision or last date of employment, as applicable.

(C) Each sports gaming proprietor, mobile management services provider, management services provider, and supplier must retain and maintain, in a manner consistent with this rule, any materials used to advertise, publicize, or otherwise promote sports gaming in this state for two years from the end of the advertising, promotional, or publicity campaign. If an affiliate marketer advertises, publicizes, or otherwise promotes sports gaming on behalf these entities, those records must be retained and maintained by either the affiliate marketer or the entity.

(D) All records required to be maintained must be organized or furnished by the record holder in a manner that enables the commission to locate, inspect, review, and analyze the records with reasonable ease and efficiency, when requested by the commission.

(E) Upon request, the record holder must provide the commission with the records required to be maintained by Chapter 3775. of the Revised Code or the rules adopted thereunder.

(F) Nothing in this rule should be construed to require disclosure of a record that is protected by the attorney-client privilege. If a record that is protected by the attorney-client privilege is at issue, the record holder must provide the commission with written notification of the records existence, including a general description of the record's contents and the basis for the privilege.