



## Ohio Revised Code

### Section 3775.05 Mobile management services providers.

Effective: March 23, 2022

Legislation: House Bill 29 - 134th General Assembly

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(A)(1)(a) Except as otherwise provided in division (A)(2)(b) of this section, a type A sports gaming proprietor may contract with not more than one mobile management services provider to offer sports gaming on the sports gaming proprietor's behalf, in a manner authorized under the contract.

(b) A type A sports gaming proprietor that is a professional sports organization or is a casino operator or video lottery sales agent, and whose license was not issued under division (A)(2)(b) of section 3775.04 of the Revised Code, may contract with one additional mobile management services provider to offer sports gaming on the sports gaming proprietor's behalf, in a manner authorized under the contract, if the sports gaming proprietor demonstrates to the Ohio casino control commission that the second contract would generate an incremental economic benefit to this state beyond the economic benefits generated by the first contract and that the second contract will not prevent another type A sports gaming proprietor from securing a contract with a mobile management services provider.

(c) For purposes of the license fees described in division (B)(3) of this section:

(i) The first mobile management services provider with which the type A sports gaming proprietor enters into a contract is considered the designated first mobile management services provider.

(ii) If the type A sports gaming proprietor contracts with another mobile management services provider while still contracting with the designated first mobile management services provider, the additional mobile management services provider is considered the designated second mobile management services provider.

(d) The commission shall adopt by rule a procedure allowing the commission to revoke a designated second mobile management services provider's license if the licensee does not actively offer sports gaming under the license to the economic benefit of this state for a continuous period of one year or more.



(2)(a) If the holder of a type A sports gaming proprietor license is a professional sports organization and is a member of a league, association, or organization that prevents the holder from being subject to the regulatory control of the Ohio casino control commission or from otherwise operating under the license, the professional sports organization may contractually appoint a designee operator that is considered the mobile management services provider for all aspects of commission oversight and operating under the license. The professional sports organization shall not have control over the mobile management services provider, and the mobile management services provider shall not have control over the professional sports organization, as determined by the commission under division (C) of section 3775.03 of the Revised Code.

(b) A professional sports organization and a mobile management services provider described in division (A)(2)(a) of this section shall not exchange any information that may compromise the integrity of sporting events or of sports gaming. The commission shall adopt by rule procedures for the professional sports organization and the mobile management services provider to follow to ensure the integrity of sporting events and of sports gaming, including procedures to prevent any exchange of information or conflict of interest between the professional sports organization and the mobile management services provider.

(3) A mobile management services provider may offer sports gaming only in accordance with this chapter, with the rules adopted by the Ohio casino control commission under this chapter, and with the nature of the sports gaming proprietor's license.

(B)(1) A mobile management services provider shall be licensed under this section before entering into a contract with a type A sports gaming proprietor as described in division (A) of this section. A mobile management services provider license entitles the holder to contract with one type A sports gaming proprietor. An applicant for an initial or renewed mobile management services provider license shall meet all requirements for licensure established by the commission by rule and shall pay the fee required under division (C)(3) of section 109.572 of the Revised Code, along with a nonrefundable application fee in an amount determined by the commission by rule.

(2) The commission may accept another jurisdiction's license, if the commission determines it has similar licensing requirements, as evidence that the applicant meets the requirements for a license



issued under this section.

(3) After receiving a mobile management services provider license, the mobile management services provider shall pay the following nonrefundable license fees, as applicable, not later than the dates indicated:

	<cp-base>Upon issuance of license</cp-base>	<cp-base>One year after license issued</cp-base>	<cp-base>Two years after license issued</cp-base>	<cp-base>Three years after license issued</cp-base>	<cp-base>Four years after license issued</cp-base>
<cp-base>Initial or renewed license - designated first mobile management services provider for a type A sports gaming proprietor that is a professional sports organization</cp-base>	<cp-base>\$1,000,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>
<cp-base>Initial or renewed license - designated first mobile management services provider for any other type A sports gaming proprietor</cp-base>	<cp-base>\$750,000</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>
<cp-base>Initial license - designated second mobile management services provider for a type A sports gaming proprietor that is a professional sports organization</cp-base>	<cp-base>\$3,333,333</cp-base>	<cp-base>\$833,333</cp-base>	<cp-base>\$833,333</cp-base>	<cp-base>\$833,333</cp-base>	<cp-base>\$833,333</cp-base>



<cp-base>Initial license - designated second mobile management services provider for any other type A sports gaming proprietor</cp-base>	<cp-base>\$2,500,000</cp-base>	<cp-base>\$625,000</cp-base>	<cp-base>\$625,000</cp-base>	<cp-base>\$625,000</cp-base>	<cp-base>\$625,000</cp-base>
<cp-base>Renewed license - designated second mobile management services provider for a type A sports gaming proprietor that is a professional sports organization</cp-base>	<cp-base>\$1,000,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>	<cp-base>\$250,000</cp-base>
<cp-base>Renewed license - designated second mobile management services provider for any other type A sports gaming proprietor</cp-base>	<cp-base>\$750,000</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>	<cp-base>\$187,500</cp-base>

(C) A mobile management services provider license shall be valid for a term of five years. In order to renew a mobile management services provider license, the licensee shall apply to the commission for a renewed license in the same manner as for an initial license.

(D) In order to permit a mobile management services provider to offer sports gaming on behalf of a type A sports gaming proprietor, the sports gaming proprietor and the mobile management services provider shall enter into a written contract that has been approved by the commission. If the sports gaming proprietor and the mobile management services provider wish to make a material change to the contract, the sports gaming proprietor first shall submit the change to the commission for its approval or rejection. The sports gaming proprietor or the mobile management services provider shall not assign, delegate, subcontract, or transfer the mobile management service provider's duties and responsibilities under the contract to a third party.



(E)(1) Subject to division (E)(2) of this section, the provisions of this chapter concerning a type A sports gaming proprietor apply to a mobile management services provider that contracts with the sports gaming proprietor with respect to all rights, duties, and liabilities of the sports gaming proprietor assigned, delegated, subcontracted, or transferred to the mobile management services provider as though the mobile management services provider were a type A sports gaming proprietor. Unless the context requires otherwise, references in the Revised Code to a sports gaming proprietor apply to a mobile management services provider to the extent that the mobile management services provider is acting on behalf of a type A sports gaming proprietor pursuant to the contract.

(2) Division (E)(1) of this section does not permit a mobile management services provider to operate sports gaming other than pursuant to a contract with a type A sports gaming proprietor to operate sports gaming on behalf of the sports gaming proprietor.

(F) The commission shall adopt a rule setting a maximum number of mobile management services provider licenses a person may hold at any one time.