



Ohio Administrative Code

Rule 3770:2-2-01 Definition of certain terms used in division 3770:2 of the Administrative Code.

Effective: August 29, 2013

(A) "Administrative Procedure Act" means Chapter 119. of the Revised Code, and all amendments thereto.

(B) "Associated equipment" means hardware and software that is utilized in connection with the video lottery, but does not include telecommunication facilities and equipment of a public utility.

(C) "Capital Investment" means costs related to demolition, engineering, architecture, design, site preparation, construction, infrastructure improvements, land acquisitions, furniture, fixtures, equipment, insurance related to construction, capitalized interest and other financing costs, leasehold improvements, video lottery terminal acquisition and related technology, surveillance and security equipment, and such other costs as approved by the director which are usual and customary for the industry.

(D) "Commission" and "Ohio lottery commission" and "lottery" mean the state lottery commission created by the Lottery Act.

(E) "Commissioners" means a member of the commission.

(F) "Credit" means the value remaining to a video lottery participant usually denoted in units of play that may be used to continue to play video lottery games or may be redeemed for cash, or its monetary equivalent, or other prizes. Credit balances are increased by cash inserted, credit vouchers inserted, and/or video lottery prize winnings and may be increased by video lottery terminal promotional gaming credits.

(G) "Credit voucher" means a bearer instrument issued from a video lottery terminal for redemption of credit in accordance with the requirements of the Lottery Act and the commission's rules and regulations.



(H) "Director" means the executive director of the state lottery appointed in accordance with the Lottery Act.

(I) "Electronic display" means the presentation of elements of video lottery games including but not limited to prize determination which are visible on a video lottery terminal and which may include but are not limited to mechanical spinning reels and/or video displays.

(J) "Game" means a lottery game offered by the state lottery for sale to the public.

(K) "Gaming employee" means any employee employed in the operation of a facility whose duties primarily involve the maintenance or operation of gaming activity or equipment or who comes in contact with gaming related cash, tokens, credit vouchers, vouchers, or other financial instruments or who performs security and surveillance activities, but who are not key gaming employees.

(L) "Institutional investor" means any of the following entities: a corporation, bank, insurance company, pension fund or pension fund trust, retirement fund, including funds administered by a public agency, employees' profit-sharing fund or employees' profit-sharing trust, any association engaged, as a substantial part of its business or operations, in purchasing or holding securities, including a hedge fund, mutual fund, or private equity fund, or any trust in respect of which a bank is trustee or cotrustee, investment company registered under the "Investment Company Act of 1940," 15 U.S.C. 80a-1, collective investment trust organized by banks under "Part Nine of the Rules of the Comptroller of the Currency," closed-end investment trust, chartered or licensed life insurance company or property and casualty insurance company, investment advisor registered under the "Investment Advisors Act of 1940," 15 U.S.C. 80 b-1, and such other persons as the commission may reasonably determine to qualify as an institutional investor for reasons consistent with this chapter.

(M) "Key gaming employee" includes managers, supervisors or other employees who have authority to develop or administer policy, long-range plans, or to make discretionary decisions regulating gaming operations and managers, supervisors or other employees responsible for major areas of the property, even if no gaming is conducted in the area.

(N) "Licensing fee" means the fee to be paid by an applicant that is approved for a video lottery



license which shall be in an amount set forth in rules promulgated by the commission under division 3770:2 of the Administrative Code.

(O) "Lottery Act" means Chapter 3770. of the Revised Code, and all amendments thereto.

(P) "Lottery fund" means the various lottery funds established in section 3770.06 of the Revised Code.

(Q) "Non-Gaming Employee" means any person who works for a video lottery sales agent, whose duties do not involve the maintenance or operation of gaming activity or equipment or who does not come in contact with gaming related cash, tokens, credit vouchers, or other financial instruments or who does not perform security and surveillance activities, and who is not a key gaming employee.

(R) "Permit holder" means an entity authorized by the state racing commission to conduct one or more horse racing meetings under Chapter 3769. of the Revised Code.

(S) "Person" means any person, persons, association, corporation, limited liability company, partnership, club, trust, estate, society, receiver, trustee, hedge fund, mutual fund, private equity fund, person acting in a fiduciary or representative capacity, instrumentality of the state or any of its political subdivisions, or any other combination of individuals meeting the requirements established by rule or order of the commission.

(T) "Settlement date" means each date specified by the director on which video lottery sales agents are to settle their transactions through deposits in accordance with procedures established by the director.

(U) "Technology provider" means a video lottery terminal manufacturer, distributor or provider who contracts with video lottery sales agents A technology provider also means an independent test lab licensed by the lottery.

(V) "Ticket" means a lottery ticket issued by the state lottery for sale to the public.

(W) "Unclaimed credit vouchers" means credit vouchers for cash or its monetary equivalent not



redeemed within the redemption period set forth in rule 3770:2-7-02 of the Administrative Code.

(X) "United States gaming jurisdiction" or "Another United States gaming jurisdiction" as used in this chapter shall mean the gaming jurisdiction of any state and shall include the Ohio casino control commission and the Ohio state racing commission.

(Y) "Value" means the United States monetary equivalent.

(Z) "Video lottery terminal promotional gaming credit" means a video lottery terminal game credit, discount, or other similar item issued to a patron to enable the placement of, or increase in, a wager at a video lottery terminal.

(AA) "Video lottery" means the operation of video lottery games through the use of video lottery terminals, central monitoring systems, control systems, communications processes and/or associated equipment and activities connected and/or associated therewith.

(BB) "Video lottery applicant" means a person who is a permit holder or who has applied to be a permit holder and who applies for a video lottery license in accordance with the Lottery Act and division 3770:2 of the Administrative Code.

(CC) "Video lottery central monitoring system" means a system that may be operated by or under the control of the lottery commission for the purpose of providing the following functions relating to the sale of video lottery games: security, auditing, data and information retrieval, and other purposes deemed necessary and authorized by the lottery commission.

(DD) "Video lottery central system provider" means the person that contracts with the lottery commission to provide the video lottery central system and its component parts and equipment and activities connected and/or associated therewith.

(EE) "Video lottery game" means any game authorized by the commission that is played on a video lottery terminal.

(FF) "Video lottery participant" means an individual who is twenty-one years of age or older and



who purchases a video lottery ticket.

(GG) "Video lottery principal" means (1) an officer or director of a video lottery applicant or licensee; (2) a shareholder, general partner of a partnership, individual proprietor of a proprietorship, or any other form of association, entity, organization, or group of owners, having directly or indirectly an ownership interest of five percent or more in a video lottery applicant or licensee; (3) an institutional investor as defined in paragraph (L) of this rule having an ownership interest in a video lottery applicant or licensee of five percent or more, except as otherwise provided in paragraph (A)(7) of rule 3770:2-3-01 of the Administration Code.

(HH) ""Video lottery sales agent" and/or "sales agent" is a permit holder authorized to conduct live racing in accordance with Chapter 3769. of the Revised Code, and which is licensed by the director to sell video lottery games through video lottery terminals, and who continues to be a permit holder while authorized by the director to sell video lottery games.

(II) "Video lottery ticket" means an electronic or virtual instrument to enable a video lottery participant to play a video lottery game.

(JJ) "Video lottery prize payment" means the payment, by the commission or a video lottery sales agent, of prizes won by a video lottery participant while engaged in play on a video lottery terminal.

(KK) "Video lottery winnings" means the value of credits awarded that can be redeemed for cash or other designated prizes as a result of a video lottery winning game outcome.

(LL) "Video lottery license" means the specific privilege granted to a video lottery applicant by the director to sell video lottery games.

(MM) "Video lottery terminal or VLT" means any electronic device approved by the state lottery commission that provides immediate prize determinations for participants on an electronic display that is located at a facility owned by permit holder.

(NN) "Video lottery terminal income" means credits played, minus approved video lottery terminal promotional gaming credits, minus video lottery prize awards.