



## Ohio Revised Code

### Section 3775.04 Sports gaming proprietor licenses.

Effective: March 23, 2022

Legislation: House Bill 29 - 134th General Assembly

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(A)(1) A type A sports gaming proprietor license authorizes a sports gaming proprietor to offer sports gaming through one or more online sports pools.

(2)(a) Except as otherwise provided under division (A)(2)(b) of this section, the Ohio casino control commission shall license not more than twenty-five type A sports gaming proprietors at any one time.

(b) When twenty-five type A sports gaming proprietors are licensed in this state, the commission may issue additional type A sports gaming proprietor licenses to eligible applicants who demonstrate to the commission that the sports gaming market in this state needs additional type A sports gaming proprietors.

(3) A type A sports gaming proprietor shall meet at least one of the following requirements at all times:

(a) The type A sports gaming proprietor also shall operate a sports gaming facility under a type B sports gaming proprietor license.

(b) The type A sports gaming proprietor shall maintain at least one operational place of business in this state at which the sports gaming proprietor regularly maintains multiple employees.

(4) The commission shall adopt by rule a procedure allowing the commission to revoke a type A sports gaming proprietor license if the licensee does not offer sports gaming to patrons under the license for a continuous period of one year or more.

(B)(1) A type B sports gaming proprietor license authorizes a sports gaming proprietor to offer sports gaming at one sports gaming facility at a location specified on the license.



(2) The commission shall license not more than forty type B sports gaming proprietors at any one time.

(3)(a)(i) Except as otherwise provided in division (B)(3)(a)(ii) of this section, no sports gaming facility shall be located in a county with a population of less than one hundred thousand, as determined by the 2010 federal decennial census.

(ii) The commission may issue an initial or renewed type B sports gaming proprietor license for one sports gaming facility to be located in a county with a population of fifty thousand or more, but less than one hundred thousand, as determined by the 2010 federal decennial census, at any one time, if the commission determines, in consultation with the department of development, that the county received at least five million visitors for purposes of tourism during the most recent calendar year for which the necessary data are available.

(b)(i) Except as otherwise provided in division (B)(3)(b)(ii) of this section, not more than one sports gaming facility shall be located in a county with a population of one hundred thousand or more, but less than four hundred thousand, as determined by the 2010 federal decennial census, at any one time.

(ii) Not more than two sports gaming facilities shall be located in a county with a population of one hundred thousand or more, but less than four hundred thousand, as determined by the 2010 federal decennial census, at any one time, if a video lottery sales agent operates video lottery terminals at a facility in the county.

(c) Not more than three sports gaming facilities shall be located in a county with a population of four hundred thousand or more, but less than eight hundred thousand, as determined by the 2010 federal decennial census, at any one time.

(d) Not more than five sports gaming facilities shall be located in a county with a population of eight hundred thousand or more, as determined by the 2010 federal decennial census, at any one time.

(4) The commission shall issue an initial type B sports gaming proprietor license only to a person who conducts significant economic activity in the county in which the sports gaming facility is to be



located, as determined by the commission in consultation with the department of development.

(C)(1) A type C sports gaming proprietor license authorizes a sports gaming proprietor to offer sports gaming through self-service or clerk-operated sports gaming terminals located at one or more type C sports gaming hosts' facilities under section 3770.25 of the Revised Code.

(2) The commission shall license at least two, and not more than twenty, type C sports gaming proprietors at any one time. However, if only one eligible and suitable person applies for a type C sports gaming proprietor license, the commission shall issue the license.

(D) An applicant for an initial or renewed type A, type B, or type C sports gaming proprietor license shall do all of the following:

(1) Submit a written application on a form furnished by the commission.

(a) If the application is for an initial type B sports gaming proprietor license, the application shall specify both of the following:

(i) The intended location of the sports gaming facility or, at a minimum, the county in which the sports gaming facility is to be located if the license is granted;

(ii) The expected overall capital investment in the sports gaming facility, including its size, furnishings, and equipment.

(b) If the application is for a renewed type B sports gaming proprietor license, the application shall specify one of the following, as applicable:

(i) If the sports gaming proprietor does not intend to relocate the sports gaming facility, the location of the sports gaming facility;

(ii) If the sports gaming proprietor intends to relocate the sports gaming facility, the intended new location of the sports gaming facility or, at a minimum, the county in which the sports gaming facility is to be located if the renewal is granted.



(2) 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 prescribed by the commission by rule;

(3) Submit an audit of the applicant's financial transactions and the condition of the applicant's total operations for the previous fiscal year prepared by a certified public accountant in accordance with generally accepted accounting principles and state and federal laws;

(4) Satisfy any other requirements for licensure under this chapter and rules adopted under this chapter.

(E) After receiving a sports gaming proprietor license, the sports gaming proprietor shall pay the following nonrefundable license fees, as applicable, not later than the dates indicated, and shall give to the state a surety bond, in an amount and in the form approved by the commission, to guarantee that the sports gaming proprietor faithfully makes all payments required by this chapter and rules adopted under this chapter during the period of the license:

(1) For an initial or renewed type A sports gaming proprietor license:

	<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 - type A sports gaming proprietor that is a professional sports organization and that is not contracting with more than one mobile management services provider</cp-base>	<cp-base>\$500,000</cp-base>	<cp-base>\$125,000</cp-base>	<cp-base>\$125,000</cp-base>	<cp-base>\$125,000</cp-base>	<cp-base>\$125,000</cp-base>



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<p>&lt;cp-base&gt;Initial or renewed license - any other type A sports gaming proprietor that is not contracting with more than one mobile management services provider&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$750,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$187,500&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$187,500&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$187,500&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$187,500&lt;/cp-base&gt;</p>
<p>&lt;cp-base&gt;Initial license - type A sports gaming proprietor that is a professional sports organization and that is contracting with two mobile management services providers&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$1,666,667&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$416,667&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$416,667&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$416,667&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$416,667&lt;/cp-base&gt;</p>
<p>&lt;cp-base&gt;Initial license - any other type A sports gaming proprietor that is contracting with two mobile management services providers&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$2,500,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$625,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$625,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$625,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$625,000&lt;/cp-base&gt;</p>
<p>&lt;cp-base&gt;Renewed license - type A sports gaming proprietor that is a professional sports organization and that is contracting with two mobile management services providers&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$500,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$125,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$125,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$125,000&lt;/cp-base&gt;</p>	<p>&lt;cp-base&gt;\$125,000&lt;/cp-base&gt;</p>



<cp-base>Renewed license - any other type A sports gaming proprietor that is contracting with two mobile management services providers</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>
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(2) For an initial or renewed type B sports gaming proprietor license:

	<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>Type B sports gaming proprietor that is also a type A sports gaming proprietor</cp-base>	<cp-base>\$100,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>
<cp-base>Type B sports gaming proprietor that is not also a type A sports gaming proprietor</cp-base>	<cp-base>\$50,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>	<cp-base>\$10,000</cp-base>

(3) For a type C sports gaming proprietor license, one hundred thousand dollars upon being issued an initial license and twenty-five thousand dollars upon being issued a renewed license.

(F)(1) A sports gaming proprietor license shall be valid for a term of five years.

(2) Upon the expiration of a sports gaming proprietor license, the sports gaming proprietor may apply to renew the license in the same manner as for an initial license, unless the license is suspended or revoked or the commission determines that the sports gaming proprietor is not in compliance with this chapter and the rules adopted under this chapter.