

OHIO CASINO CONTROL COMMISSION

General information (CAC)

Duties

The Ohio Casino Control Commission ensures the integrity of casino gaming, sports gaming, skill-based amusement machines and fantasy contests by licensing, regulating, investigating, and enforcing state laws.

Membership *(Current members, chairperson and other officers, and selection process.)*

The bipartisan Ohio Casino Control Commission is comprised of a Chair and six Commissioners appointed by the Governor with the advice and consent of the Senate. No more than four Commissioners can be members of the same political party, and all must be Ohio residents. At least one Commissioner must have experience in each of the following areas: law enforcement and criminal investigation, certified public accounting with auditing, or hold an Ohio law license. In addition, at least one Commission member must reside in a county with a casino facility. R.C. 3772.02. There are currently six appointed members of the Commission: Chair June Taylor, Vice-Chair John Steinhauer, Commissioner Lynn Slaby, Commissioner McKinley Brown, Commissioner Will Lucas, and Commissioner Sheetal Bajoria.

Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

The Commission endeavors to hold itself and those it regulates to very high standards and strives to be a good steward of public funds. The original budget for the Commission in FY 2023 was \$13.7 million. Due to the passage of HB 29 during the legislative term, the Commission sought and obtained approval from the Controlling Board to increase appropriations for FY 2023. The increase in appropriation has allowed the Commission to increase staff and make enhancements to the eLicense system to accommodate the sports gaming regulatory process. Funding for the Commission is derived from two primary sources: a percentage of the tax on gross gaming revenue (casino gaming and sports gaming) and license and renewal fees (all regulated industries). During the budgeting process, the Commission carefully reviews previous budget data, including historical revenue and expenses as well as historical trends. As Commission revenue is partly derived from industry sources, the Commission also monitors trends in gaming, both within Ohio but also nationally, to make careful and informed budget

Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

estimates. As sports gaming is a new industry to Ohio, the Commission also reviewed market analyses and revenue projections for the sports gaming industry, along with reviewing sports gaming revenue and licenses issued in other jurisdictions, to make reasonable estimates as to the projected tax and fee revenue expected in FY 2023. Overall, gaming in Ohio is in a state of considerable growth that will increase revenue to the Commission, but also require a commiserate increase in Commission expenses to accommodate these additional duties and responsibilities. Accordingly, it is likely that the Commission's budget will need to increase over the next few fiscal years.

Workload *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

In the last six years, the General Assembly has expanded the regulatory programs overseen by the Commission, including the launch of a regulatory framework for skill-based amusement machines in 2018 and fantasy contests in 2019. The increase in responsibility to regulate these areas requires the creation and implementation of new administrative code provisions, issuance of relevant licenses, and regular work to ensure compliance with Ohio law. The Commission's workload has also significantly increased due to the additional responsibility of regulating sports gaming in Ohio. The launch of legal sports gaming on January 1, 2023, will be the largest simultaneous launch of sports gaming nationwide and will cause the Commission to review and issue around 3,000 new licenses and ensure the compliance of up to 50 online sportsbook operators and 40 Las Vegas style retail sportsbooks.

Staffing *(How many staff are currently employed by the Commission? What are their roles? Are staffing levels proportionate to the Commission's current and anticipated workload?)*

The Commission currently employs 101 full-time employees and 1 intermittent employee. The Commission organizes its staff into subject-matter divisions: Licensing & Investigations, Regulatory Compliance, Responsible Gambling, Skill Games, Enforcement, Operations, Communications, and Legal. The Licensing & Investigations and Skill Games divisions employ licensing analysts and professionals focused on the review and maintenance of gaming licenses issued by the Commission. The Regulatory Compliance division is comprised of auditors and technology specialists who ensure ongoing compliance with regulatory requirements by all licensees, with specific emphasis on gaming entity compliance. The Responsible Gambling division employs professionals with experience in problem gambling-related services to manage the Commission's Voluntary Exclusion Program and ensure licensee compliance with responsible gambling requirements. The Enforcement division employs Ohio peace officers who serve as gaming enforcement agents and investigators who investigate gaming-related criminal activity at the casinos and throughout the state. The Operations division is comprised of budget & fiscal, administrative, and human resources

Staffing *(How many staff are currently employed by the Commission? What are their roles? Are staffing levels proportionate to the Commission's current and anticipated workload?)*

staff that support the agency's day to day operations. The Communications division provides public and media relations, and the Legal division employs attorneys and a paralegal who provide general counsel to the Commission.

Although the Commission has added some staff to accommodate the increased workload anticipated for sports gaming, the Commission is still evaluating its needs. After the launch of sports gaming in 2023, the Commission will be in a better position to fully understand the staffing needs for this new responsibility. As such, the Commission has hired conservatively and will add staff, if necessary, once the true staffing needs for sports gaming are determined.

Administrative hearings and public complaints *(Describe the Commission's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Administrative Hearings: The Commission follows the R.C. Chapter 119 process for all its administrative actions. To begin, once the Commission becomes aware of a matter, a Notice of Opportunity for Hearing ("NOH") or a Notice of Violation ("NOV") is issued. After a NOH or NOV is issued, the person may request a hearing within 30 days. If the person requests a hearing, a hearing will take place before a neutral hearing examiner. Once the hearing has concluded, the hearing examiner will issue a Report and Recommendation ("R&R"). After the R&R is received, the person will have 30 days to file objections. After that window has closed, the matter will be presented to the Commission for consideration at a public meeting. If a person does not request a hearing, the matter will still be considered by the Commission at a public meeting. Appeals of the Commission's decision follow the process outlined in R.C. 119.12. This process, proscribed in R.C. Chapter 119, ensures the due process of the parties involved while ensuring the Commission can take appropriate administrative action to ensure the integrity of casino gaming, sports gaming, skill gaming, and fantasy contests.

Complaints: Patrons and the general public can file complaints with the Commission on the Commission's website, by e-mail, or by phone. Information on how to file a complaint is made readily available on the Commission's website. Once received, the complaint is reviewed to determine if the Commission has jurisdiction over the matter. If the Commission does have jurisdiction, the incident will be reviewed to determine if any laws were violated or if any additional action is warranted. If a licensee is found to be in violation of Ohio law, the Commission will, to the extent possible or practicable under the circumstances, seek for the licensee to take corrective action to remediate any harm to patrons and ensure future compliance. If sanctions are needed, the Commission follows the administrative hearing process outlined above. Using this process, the Commission has issued sanctions rarely and, instead, achieves continuing compliance through a collaborative dialogue with licensees.

Key employee

Survey responses (CAC)

Description
A key employee is any executive, employee, agent, or other individual who has the power to exercise significant influence over decisions concerning any part of the operation of a person that has applied for or holds a casino operator, management company, or gaming-related vendor license or the operation of a holding company of a person that has applied for or holds a casino operator, management company, or gaming-related vendor license. R.C. 3772.01(P).

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
License

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	The Commission issues licenses on a rolling basis and licenses are eligible for renewal every three years. In FY 2021, the Commission issued 35 initial/new key employee licenses.
Number renewed annually	In FY 2021, the Commission renewed 70 key employee licenses.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</p>	<p>As key employee licenses are not renewed annually, the Commission does experience variations from year to year in the number of key employee applications it receives and processes that can render year to year comparisons unhelpful. Overall, there has been a trending increase in the number of key employee applications received by the Commission in the previous six years. In years in which the Commission has licensed a new casino operator (such as with the acquisition of the Cincinnati casino by Hard Rock) the number of key employee licenses is higher than usual.</p>
<p>Education or training requirements</p>	<p>No specific education or training is required by the Commission.</p>
<p>Experience requirements</p>	<p>No specific experience is required by the Commission; however, the Commission considers the suitability of each individual in accordance with the factors laid out in R.C. 3772.10 and Ohio Adm.Code 3772-5-05. This consideration includes the reputation and experience of the individual, among other factors.</p>
<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Commission receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No examination is required by the Commission.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No continuing education is required by the Commission.</p>
<p>Initial fee</p>	<p>Key employee applicants pay an application fee of \$2,000.00. A license fee of \$500.00 is paid upon licensure.</p>
<p>Duration</p>	<p>Three (3) years</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
Renewal fee <i>(If different from initial fee, please explain why.)</i>	The application and licensee fees are the same for renewals as the initial fees.
Does the Commission recognize uniform licensure requirements or allow for reciprocity?	Applicants for key employee licensure are required to complete the Multi-Jurisdictional Personal History Disclosure Form. This form allows applicants to complete one form that is acceptable to most U.S. gaming jurisdictions. Additionally, temporary or permanent reciprocity is provided for an individual on military duty in Ohio, or that individual's spouse, if the individual holds a license issued by any other jurisdiction, the individual is in good standing in that jurisdiction, and the individual provides adequate proof of qualifying military duty.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	There are no similar national registrations, certifications, or licenses.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Commission?	No, all individuals serving in a key employee capacity, as defined in R.C. Chapter 3772, must be licensed by the Commission.
Is the Commission permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, the Commission is required by R.C. 3772.10 to consider the overall suitability of key employee applicants through the evaluation of several factors. The determination of that suitability lies within the discretion of the Commission.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	

Oversight and disciplinary authority of the Commission respecting individuals engaged in the occupation.

All key employee applicants and licensees are required to prove their suitability by clear and convincing evidence and maintain that suitability throughout the license period. The Commission utilizes criminal background checks, credit checks, and general background investigations to ensure the suitability of its licensees. Licensees are also required to update the Commission should any information change during the licensure period and must comply with all statutory and regulatory requirements. Licensing investigations can be reopened at any point during the license period to ensure suitability is maintained by the licensee.

The Commission has the authority to discipline individuals engaged in this occupation through the administrative hearing process described above.

How much revenue is derived from fees charged by the Commission to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

In fiscal year 2021, key employee fees totaled \$310,807. As described above, license and application fees are a primary revenue source for the Commission to fund its operational costs including the wages and benefits of employees, supplies, maintenance, and equipment necessary to accomplish the Commission's mission of ensuring the integrity of gaming in Ohio.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

No federal regulations apply to this occupation nor are there federal laws that require the state to regulate the occupation. Rather, the requirement to regulate this occupation is detailed in R.C. Chapter 3772.

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation of this occupation is required by R.C. 3772.10 and 3772.13 to ensure the integrity of casino gaming by confirming the suitability of those who exercise significant influence or control over the operation of casino operators, management companies, and gaming-related vendors or any holding company of those entities. Integrity protects gaming patrons and the public but also protects state revenue derived from gross gaming revenue.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

The licensing of key employees in casino gaming is a common practice in the gaming industry and has proven effective in Ohio, as well as other state gaming jurisdictions, in ensuring the integrity of casino gaming.

Are there any changes the Commission would like to see implemented?

The Commission does not have any changes related to key employee licensing but is always happy to serve as a resource to the General Assembly on any gaming considerations.

Surrounding state comparison (LSC)

Key Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	Key employee license (<i>R.C. 3772.01(P) and 3772.13; O.A.C. 3772-5-01 to 3772-5-05</i>).	Casino owner's license and level 1 occupational license (<i>Ind. Code 4-33-2-17, 4-33-6-1, and 4-33-8-2; 68 Ind. Admin. Code 1-1-13.4, 2-1-4, 2-3-1(i), and 27-2-16</i>).	No clear equivalent.	Casino license (<i>Mich. Comp. Laws 432.205 and 432.206</i>).	Key employee license (<i>4 Pa. Cons. Stat. 1311.2; 58 Pa. Code 435a.2</i>).	License to be a provider of management services for racetrack table games, sports wagering, interactive wagering, and gaming facilities (<i>W. Va. Code 29-22C-14, 29-22D-7, 29-22E-7, and 29-25-33</i>).
Education or training	N/A	Training for all occupational licensees is available but does not appear to be mandatory (<i>Ind. Code 4-33-8-9; 68 Ind. Admin. Code 2-5-1 to 7</i>).	N/A	N/A	N/A	N/A
Experience	Must be at least 21 years of age (<i>R.C. 3772.13(D)</i>).	Must be at least 21 years of age (for any occupational	N/A	The statutes and rules do not explicitly provide an age	Must be at least 18 years of age	For racetrack table games and authorized gaming facilities:

Key Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		licenses) (68 Ind. Admin. Code 2-3-1(g) and 2-3-5(c)(12)).		requirement, but it appears that a person who is 18 years of age or older may be employed by a gaming operation, provided that a person who is less than 21 years of age is not in an area of a casino where gaming is being conducted (Mich. Comp. Laws 432.209(9)).	(58 Pa. Code 435a.1(d)).	applicant must have good moral character and reputation, and the necessary experience and financial ability to carry out the functions of a management services provider (W. Va. Code 29-22C-14(b), 29-25-33(b); W. Va. Code R. 179-8-39.2).
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$2,000 application fee, which may be increased to the extent that the cost of the background investigation exceeds this amount; \$500	Casino owner's license: \$50,000 application fee; \$25,000 license fee. Level 1 occupational license: \$1,000	N/A	\$50,000 application fee. If the costs of investigation exceed \$50,000, the applicant must pay the	\$2,500, although an applicant may be subject to additional fees based on actual expenses incurred to conduct a background investigation	For racetrack table games: \$100 (includes both license and application fee, to be paid in lieu of the first year's license fee).

Key Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	license fee (<i>O.A.C. 3772-5-03(A) to (C)</i>).	application fee; \$100 license fee. (<i>68 Ind. Admin. Code 2-1-2(b), 2-1-3(b), 2-3-2(a)(1), and 2-3-3(a)(1).</i>)		additional amount. \$25,000 license fee. <i>(Mich. Comp. Laws 432.205(5) and 432.206(1).)</i>	<i>(58 Pa. Code 471a.1(d) and (e) and 471a.2; Pennsylvania Gaming Control Board, Schedule of Fees).</i>	For sports wagering: \$1,000 (includes both license and application fee). For interactive wagering: \$100,000 (includes both license and application fee). For gaming facilities: \$100 application fee; \$100 license fee. <i>(W. Va. Code 29-22C-14(d)(3) and (f), 29-22D-7(b), 29-22E-7(b), 29-25-33(d)(3) and (f)); W. Va. Code R. 179-8-19.2.d, 179-4-22.2.d.)</i>
License duration	Three years (<i>R.C. 3772.10(B); O.A.C. 3772-5-02(B)</i>).	Casino owner's license: five years (initially), then one year (thereafter).	N/A	One year (<i>Mich. Comp. Laws 432.206(8); Mich. Admin. Code R. 432.1312(1)</i>).	Three years (<i>58 Pa. Code 435a.4(a)</i>).	For racetrack table games, sports wagering, interactive wagering, and

Key Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		Level 1 occupational license: one year. <i>(68 Ind. Admin. Code 2-1-3(b), 2-1-9, 2-3-3(e), and 2-3-8(a).)</i>				gaming facilities: one year <i>(W. Va. Code 29-22C-14(f), 29-22D-7(c), 29-22E-7(c), 29-25-33(f); W. Va. Code R. 179-8-19.3, 179-4-22.4).</i>
Renewal fee	It is unclear whether the \$2,000 application fee and the \$500 license fee in O.A.C. 3772-5-03 are the “reasonable fee” for a license renewal application and license renewal fee <i>(R.C. 3772.15(A)).</i>	Casino owners: \$5,000. For level 1 occupational license: \$100. <i>(Ind. Code 4-33-6-12(a)(1) and 4-33-8-2(d); 68 Ind. Admin. Code 2-1-9 and 2-3-3(a)(1).)</i>	N/A	\$25,000 <i>(Mich. Comp. Laws 432.206(1) and (8); Mich. Admin. Code R. 432.1312(2)).</i>	It is unclear whether the renewal fee is the same as the initial fee. An applicant for a renewal will be required to provide reimbursement for additional costs, based on the actual expenses incurred, in conducting a background investigation. <i>(58 Pa. Code 421a.3(c).)</i>	For racetrack table games and gaming facilities: \$100. For sports wagering: \$1,000. For interactive wagering: \$100,000. <i>(W. Va. Code 29-22C-14(f), 29-22D-17(c), 29-22E-7(c), 29-25-33(f), and 29-25-33; W. Va. Code R. 179-8-19.3.d, 179-4-22.3.d.)</i>

Casino gaming employee

Survey responses (CAC)

Description
Casino gaming employees are involved in daily casino gaming activities, including dealers, clerks, hosts and junket representatives; individuals involved in handling money, such as cashiers, change persons, count teams, and coin wrappers; individuals involved in operating casino games; individuals involved in operating and maintaining slot machines, including mechanics, floor persons, and change and payoff persons; individuals involved in security, such as guards and game observers; and individuals the Commission determines should be licensed. R.C. 3772.131(A). A casino gaming employee does not include those employees that are not involved in casino gaming, such as entertainment and food and beverage employees. R.C. 3772.131(A)(6).

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
License

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	Licenses are issued on a rolling basis and eligible to be renewed every three years. The Commission issued 515 initial/new casino gaming employee licenses in FY 2021.
Number renewed annually	The Commission renewed 438 casino gaming employee licenses in FY 2021

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	The number of licenses issued or renewed has doubled in the last six years. Additionally, the Commission has noted a significant increase in the number of applications received since 2019, given the high turnover rate of employees at all casino facilities.
Education or training requirements	No education or training is required by the Commission.
Experience requirements	No experience is required by the Commission; however, the Commission considers suitability factors pursuant to R.C. 3772.10, including the reputation and experience of the applicant, when determining whether to grant the license.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Commission receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No examination is required by the Commission.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No continuing education is required by the Commission.
Initial fee	Applicants submit an application fee of \$250.00 and pay a license fee of \$250.00, if the license is granted.
Duration	Three (3) years
Renewal fee (<i>If different from initial fee, please explain why.</i>)	The application for renewal applicants is \$100.00. If the license is renewed, a renewal license fee of \$50.00 is paid. These renewal fees were once the same as the initial application and license fees but were reduced when the Commission determined that the higher renewal fees were not necessary to cover the Commission's cost in conducting renewal investigations. The

If the regulation is a registration, certification, or license requirement, please complete the following:	
	Commission continues to evaluate its revenue from fees to ensure that fees assessed to the regulated community are commiserate with the revenue needed to fulfill the Commission's statutory obligation to regulate the industry.
Does the Commission recognize uniform licensure requirements or allow for reciprocity?	Temporary or permanent reciprocity is provided for an individual on military duty in Ohio, or that individual's spouse, if the individual holds a license to practice the trade issued by any other jurisdiction, the individual is in good standing in that jurisdiction, and the individual provides adequate proof of qualifying military duty.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	There are no similar national registrations, certifications, or licenses.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Commission?	No, all individuals employed in a casino gaming capacity must be regulated by the Commission to be employed in that position. R.C. 3772.131(A).
Is the Commission permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, the Commission is required by R.C. 3772.10 to consider the overall suitability of casino gaming employee applicants through the evaluation of several factors. The determination of that suitability lies within the discretion of the Commission.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	

Oversight and disciplinary authority of the Commission respecting individuals engaged in the occupation.

All casino gaming employee applicants and licensees are required to prove their suitability by clear and convincing evidence and maintain that suitability throughout the license period. The Commission utilizes criminal, financial, and regulatory background investigations to ensure the suitability of its licensees. Licensees are also required to update the Commission should any information change during the licensure period and must comply with all statutory and regulatory requirements. Licensing investigations can be reopened at any point during the license period to ensure suitability is maintained by the licensee.

The Commission has the authority to discipline individuals engaged in this occupation through the administrative hearing process described above.

How much revenue is derived from fees charged by the Commission to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

In fiscal year 2021, casino gaming employee fees totaled \$396, 317. As described above, license and application fees are a primary revenue source for the Commission to fund its operational costs including the wages and benefits of employees, supplies, maintenance, and equipment necessary to accomplish the Commission's mission of ensuring the integrity of gaming in Ohio.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

No federal regulations apply to this occupation nor are there federal laws that require the state to regulate the occupation. Rather, this license is required by R.C. 3772.10 and 3772.131.

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation of this occupation is required by R.C. 3772.10 and 3772.131 to ensure the integrity of casino gaming by confirming the suitability of those who directly engage in daily casino gaming operations. Integrity protects gaming patrons and the public but also protects state tax revenue derived from gross gaming revenue.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

The licensing of casino gaming employees in casino gaming is a common practice in the gaming industry and has proven effective in Ohio, as well as other state gaming jurisdictions, in ensuring the integrity of casino gaming.

Are there any changes the Commission would like to see implemented?

Although the Commission does not have any specific changes, the Commission is always happy to be a resource to the General Assembly on any gaming-related considerations.

Surrounding state comparison (LSC)

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 3772.131; O.A.C. 3772-8-01</i>).	Level 2 and 3 occupational licenses (<i>Ind. Code 4-33-8-2; 68 Ind. Admin. Code 2-3-1(j) and (k)</i>).	No clear equivalent.	Occupational license. There are three levels of occupational licenses: Level 1: an individual employed by a casino licensee who holds certain specified supervisory or managerial roles. Level 2: an individual employed by a casino licensee whose duties involve specified work or work in a restricted casino area. Level 3: an individual employed by a casino licensee	Occupation permit (<i>4 Pa. Cons. Stat. 1318; 58 Pa. Code 435a.3</i>).	Occupational license to be employed by an operator of a gaming facility, occupational license to be employed in a race track with West Virginia Lottery table games and sports-wagering, occupational license to engage in activity regarding interactive wagering (<i>W. Va. Code 29-22C-13, 29-22D-9, 29-22E-9, 29-25-12; W. Va. Code R. 179-8-18.1.c, 179-8-43, and 179-4-47</i>).

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				<p>whose duties do not require a level 1 or level 2 license but are performed in a casino gaming area or affect gambling occupations, including a person who serves food or beverages in the casino gaming area to patrons.</p> <p><i>(Mich. Comp. Laws 432.208; Mich. Admin. Code R. 432.1331, 432.1332, 432.1333, and 432.1334.)</i></p>		
Education or training	N/A	Training for all occupational licensees is available but does not appear to be mandatory. Trainers must also have an	N/A	N/A	N/A	N/A

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		occupational license. (<i>Ind. Code 4-33-8-9; 68 Ind. Admin. Code 2-5-1 to 7.</i>)				
Experience	Must be at least 21 years of age (<i>R.C. 3772.131 (C)</i>).	Must be at least 21 years of age for any occupational license (<i>68 Ind. Admin. Code 2-3-1(g) and 2-3-5(c)(12).</i>)	N/A	Must be at least 21 years of age if the applicant will perform any function involved in gaming by patrons. Must be at least 18 years of age if the applicant will perform only nongaming functions. (<i>Mich. Comp. Laws 432.208(3)(a) and (b).</i>)	Must be at least 18 years of age (<i>4 Pa. Cons. Stat. 1318(c); 58 Pa. Code 435a.1(d)</i>).	For racetrack table games and gaming facilities, must have good moral character and reputation and offered employment contingent on licensure (<i>W. Va. Code 29-22C-13(b) and 29-25-12(b)</i>).
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$250 application fee, which may be increased to the extent that the cost of the background investigation relating to the applicant exceeds this amount; \$250 license fee (<i>O.A.C. 3772-8-03(A)(1) and (3) and (B)(1)</i>).	<p>Level 2 occupational license: \$200 application fee; \$50 license fee.</p> <p>Level 3 occupational license: \$75 application fee; \$25 license fee.</p> <p>(<i>68 Ind. Admin. Code 2-3-2(a)(2) and (3) and 2-3-3(a)(2) and (3)</i>.)</p>	N/A	<p>Level 1: \$500 application fee; \$250 license fee.</p> <p>Level 2: \$100 application fee; \$100 license fee.</p> <p>Level 3: \$50 application fee; \$50 license fee.</p> <p>An additional background investigation charge may be assessed to the extent the board's direct investigative costs exceed the application fees.</p> <p>(<i>Mich. Admin. Code R. 432.1303(2)(c) to (e), (3), and (5)(c) and (d)</i>.)</p>	\$350, although an applicant may be subject to additional fees based on actual expenses incurred to conduct a background investigation (<i>58 Pa. Cons. Stat. 471a.1(d) and (e) and 471a.2; Pennsylvania Gaming Control Board, Schedule of Fees</i>).	<p>For occupational licenses, generally: \$100 application fee; \$100 license fee.</p> <p>For racetrack table games: \$100 application fee.</p> <p>License fee is to be set by rule by the Commission by June 30 each year; the fee may vary based on the job classification of the applicant but cannot exceed \$100.</p> <p>For interactive wagering: \$100 application fee; \$100 license fee.</p> <p>For limited gaming facility: \$100 application fee.</p> <p>(<i>W. Va. Code 29-22C-13(c)(3) and</i></p>

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
						(e), 29-22E-9(c) and (d); W. Va. Code R. 179-4-22.2.c and 179-8-19.2.c).
License duration	Three years (R.C. 3772.10(B); O.A.C. 3772-8-02(B)).	One year (68 Ind. Admin. Code 2-3-3(e) and 2-3-8(a)).	N/A	Two years (Mich. Admin. Code R. 432.1341(1)).	Three years (58 Pa. Code 435a.4(a)).	For all occupational licenses: one year (W. Va. Code 29-22C-13(e), 29-22E-9(d), 29-25-12(d)).
Renewal fee	\$100 application fee, which may be increased to the extent that the cost of the background investigation relating to the applicant exceeds this fee; \$50 license fee. (O.A.C. 3772-8-03(A)(2) and (3) and (B)(2).)	Level 2 occupational license: \$50 license fee. Level 3 occupational license: \$25 license fee. (Ind. Code 4-33-8-2(d); 68 Ind. Admin. Code 2-3-3(a)(2) and (3).)	N/A	Level 1: \$500 application fee; \$250 license fee. Level 2: \$100 application fee; \$100 license fee. Level 3: \$50 application fee; \$50 license fee. A licensee may also be assessed the board's direct investigative costs arising from a background	\$200 (Pennsylvania Gaming Control Board, Schedule of Fees). An applicant for a renewal will be required to provide reimbursement for additional costs, based on the actual expenses incurred, in conducting a	For all occupational licenses: \$100 (W. Va. Code 29-22E-9(d); W. Va. Code R. 179-4-22.3.c and 179-8-19.3.c).

Casino Gaming Employee License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				investigation for the renewal of a license to the extent that such costs exceed the application fees. <i>(Mich. Admin. Code R. 432.1303(2)(c) and (d), (4), and (5)(c) and (d).)</i>	background investigation. <i>(58 Pa. Code 421a.3(c).)</i>	

Sports gaming

Survey responses (CAC)

Description
<p>R.C. 3775.03 and 3775.06 requires the occupational licensing of individuals engaged in certain aspects of sports gaming. The Commission has further defined these roles into two license types, Sports Gaming Key Employees and Standard Sports Gaming Employees. Ohio Adm.Code 3775-4-09(C).</p> <p>Key employee: Individuals that have the ability to control the activities of a Type A, B, or C sports gaming applicant or elect a majority of the board of directors; each person that directly or indirectly holds a beneficial or proprietary interest in the applicant’s business; or key personnel of an applicant including any executive, employee, or agency having the power to exercise significant influence over decisions concerning any part of the applicant’s business operation. R.C. 3775.03; Ohio Adm.Code 3775-4-09(C)(2); 3775-1-01(B)(10).</p> <p>Standard employee: Persons who accept wagers on behalf of sports gaming proprietors, handle money as part of operating sports gaming, provide security for the operation of sports gaming, or have the ability to alter material aspects of sports gaming. R.C. 3775.06(A)(1); Ohio Adm.Code 3775-4-09(C).</p>

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	No licenses have been issued yet.
Number renewed annually	N/A
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Although licensing of sports gaming employees has not yet occurred, the Commission will begin issuing licenses in late 2022 (effective no earlier than January 1, 2023) and anticipates approximately 2,000 new applications to be received in 2022.
Education or training requirements	No education or training is required by the Commission for either key or standard sports gaming employee licensure.
Experience requirements	No experience is required by the Commission for either key or standard sports gaming employees; however, the Commission will evaluate the suitability of such applicants, including their reputation and experience, in accordance with R.C. 3775.041.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Commission receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No examination is required by the Commission for either key or standard sports gaming employees.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No continuing education is required by the Commission for either key or standard sports gaming employees.</p>
<p>Initial fee</p>	<p>Both key and standard sports gaming employees pay an application fee of \$100 and a license fee of \$50 if the license is granted. Fees are established in R.C. 3775.06(C)(1) & (2).</p>
<p>Duration</p>	<p>Three (3) years for both key and standard sports gaming employees. R.C. 3775.06(E).</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>The renewal fee for key and standards sports gaming employees is the same as the initial fee. R.C. 3775.06(C)(1) & (2).</p>
<p>Does the Commission recognize uniform licensure requirements or allow for reciprocity?</p>	<p>Applicants for key sports gaming employee licensure are required to complete the Multi-Jurisdictional Personal History Disclosure Form. This form allows applicants to complete one form that is accepted in multiple gaming jurisdictions. Further, applicants that hold an active license issued under R.C. Chapters 3770. or 3772. or hold an active sports gaming occupational license in another jurisdiction are eligible to receive reciprocal licensing consideration by the Commission, upon meeting specific conditions. Ohio Adm.Code 3775-4-09(G) & (H).</p> <p>Temporary or permanent reciprocity for a key or standard sports gaming employee is provided for an individual on military duty in Ohio, or that individual's spouse, if the individual holds a license issued by any other jurisdiction, the individual is in good standing in that jurisdiction, and the individual provides adequate proof of qualifying military duty.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>There are no similar national registrations, certifications, or licenses for either key or standard sports gaming employees.</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Commission?</p>	<p>R.C. 3775.03 obligates the Commission to determine that each individual in control of a sports gaming entity applicant and the key personnel of the entity applicant meet the qualification for licensure under Chapter 3775. R.C. 3775.06 further requires those who perform specific sports gaming-related duties to maintain an occupational license at all times. Accordingly, both key and standard sports gaming employees must be licensed and regulated by the Commission.</p>
<p>Is the Commission permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, the Commission considers the overall suitability of key and standard sports gaming employee applicants through the evaluation of several factors. Ohio Adm.Code 3775-4-09. The determination of that suitability lies within the discretion of the Commission.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	

Oversight and disciplinary authority of the Commission respecting individuals engaged in the occupation.

The Commission will maintain regulatory oversight of both key and standard employees to ensure they maintain their suitability throughout their licensure period. The Commission will conduct criminal, financial, and regulatory background checks on each applicant and has the authority to reopen a suitability investigation at any point, should additional investigation be necessary. Licensees must also comply with all statutory and administrative requirements during licensure.

The Commission has the authority to discipline individuals engaged in this occupation through the administrative hearing process described above.

How much revenue is derived from fees charged by the Commission to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

As no key or standard sports gaming licenses have been issued, and the Commission is still in the process of receiving the anticipated applications in advance of January 1, 2023, meaningful revenue data is not yet available. The application and license fees that will be generated will be used to fund the Commission's licensing and regulatory oversight of the regulated community, including the hiring of additional staff, as further explained above.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

No federal regulations apply to this occupation nor are there federal laws that require the state to regulate the occupation. Rather, sports gaming occupational licenses are required by R.C. 3775.03 and 3775.06.

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation of this occupation is required by R.C. Chapter 3775 to ensure the integrity of sports gaming by confirming the suitability of those who have control over an entity participating in sports gaming in Ohio or those that directly engage in daily sports gaming operations, such as accepting or paying out wagers. Integrity protects sports gaming patrons and the public but also protects state tax revenue derived from sports gaming.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

The licensing of gaming employees in sports gaming is a common practice and has proven effective in other jurisdictions in ensuring the integrity of the industry. Although Ohio has not yet launched sports gaming, the Commission anticipates that licensing of the key and standard sports gaming employees will help ensure the Ohio sports gaming industry is operated fairly and with integrity.

Are there any changes the Commission would like to see implemented?

The Commission does not have any suggested changes, but appreciates the responsibility entrusted to it by the General Assembly and seeks to be a resource to the General Assembly for any future sports gaming considerations.

Surrounding state comparison (LSC)

Sports Gaming Occupational License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 3775.06; O.A.C. 3775-4</i>).	License. All key persons and substantial owners of a sports wagering operator applicant must obtain a Level 1 occupational	No clear equivalent.	License. A person who holds a casino license may be issued a sports betting operator license. A person whose duties directly	Gaming employee occupation permit (<i>58 Pa. Code 1406a.1 and 1406a.4</i>).	License to engage in activity regarding sports wagering (<i>W. Va. Code 29-22D-9</i>).

Sports Gaming Occupational License

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		<p>license. An employee, independent contractor, agent, or subagent of a sports wagering operator must obtain a level 2 occupational license if the executive director or their designee determines it is necessary.</p> <p><i>(68 Ind. Admin. Code 1-1-65, 27-1-2, and 27-2-16.)</i></p>		<p>impact the integrity of internet sports betting must have an occupational license.</p> <p><i>(Mich. Admin. Code R. 432.723.)</i></p>		
Education or training	N/A	<p>Training for all occupational licensees is available but does not appear to be mandatory. Trainers must also have an occupational license. <i>(Ind. Code 4-33-8-9; 68 Ind.</i></p>	N/A	N/A	N/A	N/A

Sports Gaming Occupational License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		<i>Admin. Code 2-5-1 to 7.)</i>				
Experience	N/A	Must be at least 21 years of age for any occupational license (<i>68 Ind. Admin. Code 2-3-1(g) and 2-3-5(c)(12)</i>).	N/A	Must be at least 21 years of age to be licensed as a sports betting operator (<i>Mich. Admin. Code R. 432.725b(2)(g)</i>).	Must be at least 18 years of age (<i>58 Pa. Code 1406a.1(d)</i>).	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$100 application fee and a reasonable fee for providing a criminal records check, as established by the Superintendent of the Bureau of Criminal Identification and Investigation; \$50 license fee (<i>R.C.</i>	Level 1 license: \$1,000 application fee; \$100 license fee. Level 2 license: \$200 application fee; \$50 license fee. (<i>68 Ind. Admin. Code 2-3-2(a)(1) and (2) and 2-3-3(a)(1) and (2).</i>)	N/A	Operator license: \$50,000 application fee; \$100,000 license fee. Occupational license: \$250 application fee; \$250 license fee. (<i>Mich. Comp. Laws 432.406(9) and Mich. Admin. Code R.</i>	\$350 (<i>Pennsylvania Gaming Control Board, Schedule of Fees</i>).	\$100 application fee; \$100 license fee (<i>W. Va. Code 29-22D-9(c) and (d)</i>).

Sports Gaming Occupational License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<i>3775.06(C) and 109.572(C)(3).</i>			<i>432.724(3)(a) and (c) and (7)(a) and (c).</i>		
License duration	Three years (<i>R.C. 3775.06(E).</i>)	One year (<i>68 Ind. Admin. Code 2-3-3(e) and 2-3-8(a).</i>)	N/A	Operator license: five years. Occupational license: two years. (<i>Mich. Comp. Laws 432.406(3); Mich. Admin. Code R. 432.723(14) and 432.727(1).</i>)	Five years (<i>58 Pa. Code 1406a.4(c).</i>)	One year (<i>W. Va. Code 29-22D-9(d).</i>)
Renewal fee	\$100 application and a reasonable fee for providing a criminal records check, as established by the Superintendent of the Bureau of Criminal Identification and Investigation; \$50 license fee (<i>R.C. 3775.06(C) and 109.572(C)(3).</i>)	Level 1 license: \$100 license fee. Level 2 license: \$50 license fee. (<i>68 Ind. Admin. Code 2-3-3(a)(1) and (2) and 2-3-8.</i>)	N/A	Operator license: \$50,000 (annual). Occupational license: \$250 (biennial). (<i>Mich. Comp. Laws 432.406(9); Mich. Admin. Code R. 432.724(8).</i>)	\$200 (<i>Pennsylvania Gaming Control Board, Schedule of Fees.</i>)	\$100 (<i>W. Va. Code 29-22D-9(d).</i>)

Electronic instant BINGO distributor endorsement to distributor license

Survey responses (CAC)

Description
The Commission does not regulate electronic instant bingo or issue any licenses related to bingo; however, bingo is regulated by the Attorney General's Office, Charitable Law Section.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
N/A

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	N/A
Number renewed annually	N/A

If the regulation is a registration, certification, or license requirement, please complete the following:

Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	N/A
Education or training requirements	N/A
Experience requirements	N/A
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Commission receive any proceeds of those fees? If so, how are the proceeds used?</i>)	N/A
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	N/A
Initial fee	N/A
Duration	N/A
Renewal fee (<i>If different from initial fee, please explain why.</i>)	N/A

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Commission recognize uniform licensure requirements or allow for reciprocity?</p>	<p>N/A</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>N/A</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Commission?</p>	<p>N/A</p>
<p>Is the Commission permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>N/A</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

Oversight and disciplinary authority of the Commission respecting individuals engaged in the occupation.

N/A

How much revenue is derived from fees charged by the Commission to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

N/A

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

N/A

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

N/A

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

N/A

Are there any changes the Commission would like to see implemented?

N/A

Surrounding state comparison (LSC)

Electronic Instant Bingo Distributor Endorsement To Distributor Licenses						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	Endorsement to a distributor license (<i>R.C. 2915.081(F)</i>).	No clear equivalent.	No clear equivalent.	No clear equivalent.	No clear equivalent.	No clear equivalent.
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A

Electronic Instant Bingo Distributor Endorsement To Distributor Licenses

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$10,000 endorsement fee; \$10,000 fee for the cost of monitoring electronic instant bingo and inspecting each electronic bingo system (<i>O.A.C. 109:1-5-09 and 109:1-5-10</i>).	N/A	N/A	N/A	N/A	N/A
License duration	The period of the underlying distributor license, which is one year (<i>R.C. 2915.081(B)(1) and (F)(4)</i>); see <i>O.A.C. 109:1-5-09 and 109:1-5-10</i> .	N/A	N/A	N/A	N/A	N/A

Electronic Instant Bingo Distributor Endorsement To Distributor Licenses

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$10,000 endorsement fee; \$10,000 fee plus a pro rata fee based on the gross revenue from the previous year for the cost of monitoring electronic instant bingo and inspecting each electronic bingo system (<i>O.A.C. 109:1-5-09 and 109:1-5-10</i>).	N/A	N/A	N/A	N/A	N/A