CASINO CONTROL COMMISSION

Appeals from Commission orders

- Requires an appeal from an Ohio Casino Control Commission order to be taken to the Franklin County Court of Common Pleas.
- Authorizes the court to suspend a Commission order, and to fix the terms of the suspension under certain circumstances.
- Specifies the maximum time for termination of any order issued by a court of common pleas or a court of appeals suspending the effect of a Commission order generally relating to an applicant, licensee, or person excluded or ejected from a casino facility.
- Requires the court of common pleas, or the court of appeals on appeal, to render judgment in the matter within six months after the filing date of the Commission's record.
- Prohibits a court of appeals from issuing an order suspending the effect of an order that extends beyond six months after the filing date of the Commission's record.
- Specifies that an appeal of the Commission's order must be set down for hearing at the earliest possible time and must be given precedence over all other actions.

Casino Law

- States that the Commission has jurisdiction over all persons conducting or participating in the conduct of skill-based amusement machine operations.
- Grants the Commission authority to adopt rules related to the operation of skill-based amusement machines.
- Expands the Commission's authority relating to gaming agents to include employing and assigning gaming agents to assist the Commission in carrying out its duties under the Gambling Law.
- Gives the Commission and gaming agents authority to detect, investigate, seize evidence, and apprehend and arrest persons allegedly committing violations of gambling offenses under the Gambling Law, and grants the Commission access to skill-based amusement machine facilities.
- Creates a criminal penalty under the Casino Law for a person who purposely or knowingly operates a skill-based amusement machine operation in a manner other

than the manner required under the Gambling Law, and states that such premises are a nuisance subject to abatement.

- Changes the mental state throughout the Casino Law penalty provisions that must accompany certain violations from knowingly or intentionally to purposely or knowingly.

- Removes a deadline by which the Commission must have adopted initial casino-related rules.

Commissioner salary

- Adjusts a Commissioner's salary on the effective date of the bill and on July 1, 2016, and July 1, 2017.

Appeals from Commission orders

(R.C. 119.12)

The bill requires an appeal from an order of the Ohio Casino Control Commission to be taken to the Court of Common Pleas of Franklin County. Under continuing law, generally, a party adversely affected by an order of an agency may appeal to the Court of Common Pleas of the county of residence. However, appeals from orders of certain state agencies, including the Liquor Control Commission, the State Medical Board, the State Chiropractic Board, and the Board of Nursing, also must be taken to the Court of Common Pleas of Franklin County.

The bill authorizes the court to suspend an order of the Commission, and to fix the terms of the suspension, if it appears to the court that (1) an unusual hardship to the appellant will result from execution of the order pending determination of the appeal and (2) the health, safety, and welfare of the public will not be threatened by suspension of the order. Continuing law includes the same authorization for a court with respect to an appeal from an order of the State Medical Board and the State Chiropractic Board.

The bill specifies that any order issued by a court of common pleas or a court of appeals suspending the effect of an order of the Commission that limits, conditions, restricts, suspends, revokes, denies, not renews, fines, or otherwise penalizes an applicant, licensee, or person excluded or ejected from a casino facility must terminate within six months after the date of the filing of the Commission's record with the clerk of the court of common pleas. The bill prohibits a court from extending such a suspension.

The bill also requires the court of common pleas, or the court of appeals on appeal, to render judgment in the matter within six months after the date the Commission's record is filed with the clerk of the court of common pleas. A court of appeals is prohibited from issuing an order suspending the effect of an order that extends beyond six months after the date on which the Commission's record is filed with the clerk of a court of common pleas.

Finally, the bill specifies that an appeal of the Commission's order is to be set down for hearing at the earliest possible time and is to be given precedence over all other actions. Continuing law gives precedence to hearings on appeals from orders of the Liquor Control Commission, the State Medical Board, and the State Chiropractic Board.

Casino Law

(R.C. 3772.03 and 3772.99)

Skill-based amusement machine operations

To ensure the integrity of skill-based amusement machine operations, the bill states that the Commission has jurisdiction over all persons conducting or participating in the conduct of skill-based amusement machine operations, including having the authority to license, regulate, investigate, and penalize those persons in a manner consistent with the Commission's authority to do the same for casino gaming. The bill grants the Commission the authority to adopt rules under the Administrative Procedure Act, including rules establishing fees and penalties, related to the operation of skill-based amusement machines.

The bill expands the Commission's authority related to gaming agents to include employing and assigning gaming agents to assist the Commission in carrying out its duties under the Gambling Law. Under continuing law, the Commission may employ and assign gaming agents to assist the Commission is carrying out its duties under the Casino Law. Additionally, the bill states that the Commission and its gaming agents have authority with regard to the detection and investigation of, the seizure of evidence allegedly relating to, and the apprehension and arrest of persons allegedly committing violations of the Casino Law, gambling offenses under the Gambling Law, or violations of any other Ohio law that may affect the integrity of casino gaming or the operation of skill-based amusement machines. The Commission may access casino facilities and skill-based amusement machine facilities to carry out the requirements of those laws.

The bill states that a person who purposely or knowingly operates a skill-based amusement machine operation in a manner other than the manner required under the Gambling Law commits a felony, and states that the premises used or occupied in such

a manner is a nuisance subject to abatement. (The felony is of the fifth degree on a first offense and of the fourth degree on subsequent offenses.)

Under current law, the Commission was to assume jurisdiction over and oversee the regulation of skill-based amusement machines under Ohio law beginning on July 1, 2011. Under continuing law, a skill-based amusement machine is a mechanical, video, digital, or electronic device that rewards players with merchandise prizes or with redeemable vouchers for merchandise prizes. Generally, a merchandise prize and a redeemable voucher awarded for any single play may not exceed a $10-value. The vouchers or prizes must be distributed at the site of the skill-based amusement machine at the time of play. The games are not to be determined by chance, but rather by achieving the object of the game.

Other Commission provisions

Throughout the Casino Law penalty provisions, the bill changes the mental state that must accompany certain violations from knowingly or intentionally to purposely or knowingly.

The bill also removes a deadline by which the Commission must have adopted initial casino-related rules within six months of September 10, 2010, that is, by March 10, 2011. Under the bill, the Commission must continue to adopt the rules on the enumerated topics.

Commissioner salary

(R.C. 3772.02)

The bill adjusts a Commissioner's salary as indicated in the following table:

Current law	As of provision's effective date	As of July 1, 2016	As of July 1, 2017
$30,000 per year	$50,000 per year	$40,000 per year	$30,000 per year

The bill also removes a provision requiring a Commissioner's salary to be paid in monthly installments. Under continuing law, each Commissioner also receives actual and necessary expenses incurred in the discharge of the Commissioner's official duties.