
STATE LOTTERY COMMISSION

- Requires one State Lottery Commission appointee to have experience or training in the areas of problem gambling or other addictions and in assistance to recovering gambling or other addicts.
- Authorizes the Director of the Commission to license a limited liability company or any other business entity as a lottery sales agent.
- Removes a provision prohibiting the Director from issuing a lottery sales agent license to a person to engage in the sale of lottery tickets as the person's sole occupation or business.
- Specifies that the Director has discretion to refuse to grant, or to suspend or revoke, a lottery sales agent license for any of several enumerated deficiencies.
- Makes managers and, in addition to corporations, other business entities liable for certain of the enumerated deficiencies as they apply in a business context.
- Abolishes the Charitable Gaming Oversight Fund.
- Clarifies the law regarding employees of the Auditor of State who are prohibited from being awarded a lottery prize.

Commission membership

(R.C. 3770.01)

The bill requires one person appointed as a member of the State Lottery Commission to have experience or training in the areas of problem gambling or other addictions and in assistance to recovering gambling or other addicts. Unlike the other Commission members, this member is not required to have prior experience or education in business administration, management, sales, marketing, or advertising.

Under current law, this member must represent an organization that deals with problem gambling and assists recovering gambling addicts.



Lottery sales agent licensing

(R.C. 3770.05)

The bill makes several revisions in the law pertaining to the licensing of lottery sales agents. First, the bill authorizes the Director of the Commission to license a limited liability company or any other business entity as a lottery sales agent. Under continuing law, a person, association, corporation, partnership, club, trust, estate, society, receiver, trustee, person acting in a fiduciary or representative capacity, state or political subdivision instrumentality, or any other combination of individuals can be licensed as a lottery sales agent. The bill removes the term "person" and replaces it with the term "individual" in this definition.¹³²

Second, the bill removes a provision prohibiting the Director from issuing a lottery sales agent license to any person or group of persons to engage in the sale of lottery tickets as the person's or group's sole occupation or business.

Third, the bill specifies that the Director has discretion to refuse to grant, or to suspend or revoke, a lottery sales agent license for any of several enumerated deficiencies. Under current law, the Director is required to refuse to grant, or to suspend or revoke, a lottery sales agent license for any of these deficiencies. Examples of the deficiencies include having been convicted of a felony, having been convicted of an offense that involves illegal gambling, or, in a business context, it appears to the Director that, due to the experience, character, or general fitness of any director, officer, or controlling shareholder, a lottery sales agent license would be inconsistent with the public interest, convenience, or trust.

In the enumeration of deficiencies that apply in a business context, the bill makes two further changes. Continuing law makes directors, officers, and controlling shareholders liable for some of the enumerated business deficiencies. The bill makes managers also liable for these deficiencies. Continuing law also makes corporations liable for some of the enumerated business deficiencies. The bill makes "other business entities" also liable for these deficiencies.

¹³² This change is technical because the law being described here enumerates most of the common business entities, most of which also are included in the general definition of "person." "Person," as so defined, also includes an individual. (R.C. 1.59(C), not in the bill.)



Charitable Gaming Oversight Fund

(R.C. 3770.061 (repealed))

The bill abolishes the Charitable Gaming Oversight Fund used by the Commission to provide oversight, licensing, and monitoring of charitable gaming activities in Ohio. The Fund consists of money received from the Attorney General's Office pursuant to an agreement under which the Commission is to carry out the duties of the Attorney General under the state Gambling Law (R.C. Chapter 2915.).

Auditor of State employees prohibited from receiving prize

(R.C. 3770.07)

The bill clarifies the law regarding employees of the Auditor of State who are prohibited from being awarded a lottery prize. Current law prohibits these employees who actively audit, coordinate, or certify commission drawings from being awarded a lottery prize. The bill removes the prohibition respecting these employees who "certify" drawings and replaces it with a prohibition on employees who "observe" the drawings. Auditor of State employees do not certify commission drawings, but may observe the drawings.

