

Executive

As Passed by the House

CACCD3 Transfers of Casino Operator Licenses

R.C. 3772.091, 3772.03

Modifies existing law to permit a casino operator license to be transferred with approval of the Casino Control Commission. Requires an application to be filed with the Commission and payment of an application fee in order to obtain such approval. Permits the Commission to assess an additional reasonable fee to review a casino operator license transfer request. Makes other changes to the law governing such license transfers.

Fiscal effect: None.

R.C. 3772.091, 3772.03

Same as the Executive, but states that a license transfer requires filing of the application and payment of the application fee before approval may be granted. Also requires Commission approval for a new majority interest in or transfer of control of a casino operator, and provides that the fee to obtain a transfer application is the same as is required to obtain a casino operator license application, plus costs.

Fiscal effect: Same as the Executive.

CACCD4 Transfer of Other Licenses under Casino Law

(1) No provision.

(2) No provision.

(3) No provision.

R.C. 3772.091, 3772.092

(1) Prohibits, except for a casino operator license, any other license issued under the Casino Law from being transferred.

(2) Requires a new license for a new majority ownership interest in or a change in or transfer of control of a licensee. States that any such change in ownership interest or transfer of control requires the filing of a new license application and applicable fees, including a fee increase for actual costs.

(3) Requires an application for the new license to be made under oath on forms prescribed by the Commission. Requires the applicant to prove their suitability for licensure by clear and convincing evidence and the Commission to consider all of the factors established in the Casino Law

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(4) No provision.

that pertain to the granting of such a license.

(4) Permits the Commission to reopen a licensing investigation at any time.

Fiscal effect: Any potential increase in fee revenue likely to be offset by costs of licensing investigation.

CACCD5

Casino Control Commission Enforcement Fund

R.C. 3772.36, 2981.01, 2981.13

(1) No provision.

(1) Creates in the state treasury the Casino Control Commission Enforcement Fund. Specifies that all moneys that are derived from any fines, mandatory fines, or forfeited bail to which the Ohio Casino Control Commission is entitled under the Casino Law and all moneys that are derived from forfeitures of property to which the Commission is entitled under Ohio law or federal law must be deposited into the Fund. States that the moneys in the Fund, with certain exceptions, must be used solely to subsidize the Commission's Division of Enforcement and its efforts to ensure the integrity of casino gaming.

(2) No provision.

(2) Specifies that moneys that are derived from forfeitures of property under federal law and that are deposited into the Fund must be used and accounted for in accordance with the applicable federal law, and the Commission otherwise must comply with federal law in connection with that money.

(3) No provision.

(3) Requires the Casino Control Commission to file a report with the Attorney General, verifying that cash and forfeited proceeds paid into the Fund were used only in accordance with the purpose of the Fund.

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(4) No provision.

(4) Amends the Forfeiture Law to include the Commission as a law enforcement agency and to include the Fund in the distribution order for the disposal of forfeited property.
Fiscal effect: Potential increase in revenues and expenditures to the Fund.

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Other Taxation Provisions

TAXCD51 Exclusion of Bad Debts in the Definition of Gross Casino Revenue

R.C. *5753.01*

Excludes bad debts from the definition of gross casino revenue, for purposes of the tax on that revenue, and defines what constitutes a bad debt.

Fiscal effect: Reduces casino tax revenues by an uncertain amount, potentially up to \$2 million per year. Revenue from the tax is distributed to the Gross Casino Revenue County Fund (Fund 5JG0, 51%), the Gross Casino Revenue County Student Fund (Fund 5JH0, 34%), the Gross Casino Revenue Host City Fund (5JJ0, 5%), the Ohio State Racing Commission Fund (Fund 5JK0, 3%), the Casino Control Commission Fund (Fund 5HS0, 3%), the Problem Casino Gambling and Addiction Fund (Fund 5JL0, 2%), and the Ohio Law Enforcement Training Fund (Fund 5JN0, 2%).

R.C. *5753.01*

Same as the Executive.

Fiscal effect: Same as the Executive.