

Ohio



Regulatory Oversight

COMMERCIAL GAMING

Governing Body: The Ohio Casino Control Commission is responsible for regulating Ohio's casinos. [Ohio Rev. Code § 3772.02](#). The commission consists of seven members, serving four-year terms. The commission is authorized to "complete the functions of licensing, regulating, investigating, and penalizing casino operators, management companies, holding companies, key employees, casino gaming employees, and gaming-related vendors." [Ohio Rev. Code § 3772.03\(A\)](#). Chapter 3772 grants the commission great discretionary powers to inspect casinos and gaming equipment, audit gaming operations, and investigate suspected violations of Ohio's gaming laws. [Ohio Rev. Code § 3772](#). A full list of the commission's powers can be found [here](#).

Racetracks in Ohio are authorized to operate video lottery terminals (VLTs) if they are licensed as a video lottery sales agent. [The Ohio Lottery Commission](#) (OLC) administers the Ohio Video Lottery. The commission comprises nine members who are appointed by the state governor, with the advice and consent of the Senate. The OLC promulgates the rules concerning VLT play in the state.



Licensing

COMMERCIAL GAMING

Operator: In Ohio, slot machines are operated at four commercial casinos and video lottery terminals are operated at racetracks. Casino operators must pay a \$1.5m application fee, a \$50m upfront license fee, and make a minimum capital investment of \$250m. Renewals are every three years and include a \$500,000 application fee and a \$1.5m license renewal fee. Casinos may have a maximum of 5,000 slot machines and there are no limits on the number of table games.

Similarly, racetracks must be licensed as video lottery sales agents to offer VLT play. The license requires a \$50m fee and licenses are renewed every three years at no cost. Each racetrack may operate a maximum of 2,500 VLTs.

Supplier License: In Ohio, a gaming-related vendor is any person or entity who supplies gaming-related equipment, goods, or services to a casino operator.

The racetracks must license technology providers to offer VLTs. A technology provider must pay an annual \$2,500 fee.

In addition, sports gaming suppliers are also required to obtain a valid Sports Gaming Supplier License from the Commission. The initial license fee is \$15,000 and must be renewed every three years at the same rate. Further, under Ohio's code, another jurisdiction's sports betting supplier license may be accepted by the Ohio Casino Control Commission if the commission determines that the foreign jurisdiction has similar licensing requirements.



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Taxation & Tribal Revenue Sharing

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Gaming Tax Rate: A 33 percent tax shall be collected on all gross casino revenue.

VLT taxation is outlined in [Section 3769.087 of the Ohio Revised Code](#). The revenue is split by contributing 66.5 percent to the racinos as commission and 33.5 percent to the Ohio Lottery.

Tax Allocation: The proceeds of the tax on gross casino revenues will be distributed as follows:

- 51 percent to the 88 counties in proportion to their populations.
- 34 percent to the 88 counties in proportion to their public-school district student populations.
- 5 percent to the host city where the casino is located.
- 3 percent to the Ohio Casino Control Commission.
- 3 percent to the Ohio State Racing Commission.
- 2 percent to a state law enforcement training fund.
- 2 percent to a state problem gambling and addictions fund.

All funds distributed by the Ohio Lottery go toward benefitting education in the state.

Promotional Credits: In Ohio, promotional credits at commercial casinos are tax-free. Video lottery service agents may offer promotional credits, also known as restricted promotional credits. Promotional credits used during the billing cycle will be subtracted from the invoice totals so that restricted promotional credits are not included in the invoice calculation.

Withholding tax on gambling winnings: For commercial casinos, there is a four percent withholding tax on winnings: of \$1,200 or more not reduced by the wager for slot winnings; more than \$5,000 reduced by the wager or buy-in for table win; or \$600 or more if the winnings are more than 300 times the amount wagered or are subject to federal income tax withholding.

Pursuant to Ohio Revised Code (ORC) 3770.072 and 5747.064, prize awards of \$1,200 or more from video lottery terminals are subject to State of Ohio tax withholding and may be subject to municipal tax withholding depending upon the jurisdiction of the facility location. A lottery sales agent shall deduct and withhold Ohio income tax from the person's prize award at a rate of four percent of the amount won. The agent shall complete the applicable fields on the W2-G for the Ohio tax withholding.

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Responsible Gaming

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Statutory Funding Requirement: Two percent of the tax collected by the state from commercial casinos shall be put toward the problem gambling and addiction fund. For VLT, 0.5 percent of a video lottery agent's commission (equal to .3325 percent) will be distributed to aid problem gambling in the state.

Self-exclusion: In March 2019, the Ohio Casino Control Commission and the Ohio Lottery Commission launched a statewide Voluntary Exclusion Program. Individuals are now able to exclude themselves from all casinos and racinos in the state via a single application. Individuals have the ability to ban themselves from a casino and/or racino facility for one year, five years or lifetime.

Alcohol use: Commercial casinos or VLT facilities in Ohio do not offer complimentary alcoholic beverages to patrons.

Advertising Restrictions: For commercial casino operators, advertisements may not be misleading and must list the problem gambling helpline number.

For VLT facilities, video lottery agents may not engage in advertising deemed inappropriate by the OLC.

For sports betting, a sports gaming proprietor must not advertise or promote on college or university campuses located in Ohio except for generally available advertising, including television, radio, and digital advertising.

On-Premise Display Requirement: As per the casino's compulsive and problem gambling plan, signs must be placed around the casino containing information on gambling treatment and voluntary exclusion.

At VLT facilities, information must be posted throughout the facility displaying the problem gambling helpline number.

Restrictions on Minors on the Gambling Premises: There is no statutorily mandated restriction on persons under 21 being on the gaming floor. However, the regulations do set out a punishment for any person affiliated with a casino that aids, induces or causes a person under 21 to enter or attempt to enter a commercial casino.

A person must be at least 21 years old to enter a VLT facility.



Other Regulations

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Testing Requirements: Electronic gaming devices must be certified by a licensed independent testing laboratory and approved by the OCCC before being operated in a commercial casino.

For VLT facilities, all VLTs must be certified by licensed independent testing laboratories before being reviewed by the OLC.



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AML Requirements: Under federal U.S. law, commercial casino operators, tribal gaming operators and card clubs are required to comply with various statutes to prevent money laundering activities and other financial crimes, including terrorism financing. Racetrack casinos are under the same federal regulations.

Shipping Requirements: Before gaming equipment is delivered to a commercial casino operator, notification must be delivered to the OCCC. No electronic gaming device can be delivered unless a member of the OCCC staff is present during delivery.

Before VLTs are shipped into or out of the state, notice must be provided to the Director of the OLC.

Credit offered to Patrons: Credit may be offered to patrons at commercial casinos. If credit is to be offered, it must be offered in a commercially reasonable manner. VLT facilities may extend credits to players for the purpose of playing VLTs. Credit policies must be submitted to the OLC and approved.

Political Contributions: There are no restrictions on political contributions from parties with gaming interests.

Smoking Bans: The Ohio Smoke-Free Workplace Act prevents smoking indoors within public places. However, Ohio casinos are permitted to offer outdoor smoking areas subject to approval by the Commission.

Cashless Gaming & Alternative Payments: Cashless wagering systems are required under § 3772.22 of Ohio's Code. However, cryptocurrency is not currently accepted as a form of payment for gambling transactions.



Sports Betting

Authorized Operators: Under Ohio law, online operators; casinos, sports arenas; bars; restaurants; and other standalone sports-books are able to apply for licenses.

Mobile/Online: Operators of mobile sports betting are required to obtain a Type A license.

A type A license authorizes the operation of sports gaming through an online sports pool.

Specific licensing requirements may be found under R. 3775-4-02.

Taxes and Fees: The tax rate for sports wagering in Ohio is set at 10% percent.

The licensing fees for type A licenses are dependent on the type of license, whether 1 or more mobile provider partnerships are in-volved, and the type of organization involved.

For a type A license, initial license fees range from \$500,000 to \$2,500,000 and renewal fees range from \$125,000 to \$625,000.

For a type B license, the initial license fee for a type B licensee that is also a type A licensee is \$100,000 with a \$10,000 renewal fee. For a type B licensee that is not also a type A licensee, the initial license fee is \$50,000 with a \$10,000 renewal fee.

For a type C license, the initial license is \$100,000 with a \$25,000 renewal fee.

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Amateur Restrictions: There are no restrictions under Ohio regulations or law pertaining to wagering on collegiate events. However, a sports gaming proprietor must not advertise or promote on college or university campuses located in Ohio except for generally available advertising, including television, radio, and digital advertising. Wagering on high school events is not specifically regulated.

Official Data Mandate & Integrity Fee: There is neither an official data mandate nor integrity fee mandated by Ohio law or regulations.