

3772-5-02 Key employee license application, license period, and provisional license.

(A) An applicant for a key employee license must complete and submit the appropriate form(s) required by the commission and pay an application fee and license fee as described in rule 3772-5-03 of the Administrative Code. The applicant must provide the commission with all information and documents that the commission requests. The application fee may be increased in accordance with paragraph (B) of rule 3772-5-03 of the Administrative Code.

(B) A key employee license expires three years after the date of licensure.

(C) An applicant for a key employee license may request renewal of the license by completing and submitting the appropriate form(s) required by the commission and paying an application fee and license fee as described in rule 3772-5-03 of the Administrative Code no less than one hundred twenty days before the expiration of the license. An applicant for a renewal license must provide the commission with all information and documents that the commission requests. The application fee may be increased in accordance with rule 3772-5-03 of the Administrative Code.

(D) All key employees ~~applicants or licensees~~ shall undergo a complete investigation at least once every three years as determined by the commission to determine ~~whether that each the applicant or licensee~~ remains in compliance with Chapter 3772. of the Ohio Revised Code and ~~the rules adopted thereunder this Chapter~~. The key employee ~~applicant or licensee~~ shall bear the costs of any investigation, except that a casino operator ~~applicant or licensee that has employed the applicant or licensee as a~~ key employee or otherwise requests licensure of the key employee shall pay the investigation costs and ~~except that a casino operator, management company, or gaming related gaming-related vendor, applicant or licensee or holding company that controls a casino operator or management company applicant or licensee otherwise requesting the key employee license on the key employee's behalf of the applicant or licensee~~ may pay the investigation costs.

(E) The Commission may request any other information that would affect the key employee's applicant's or licensee's suitability to maintain a key employee license under Chapter 3772. of the Ohio Revised Code or ~~the rules adopted thereunder this Chapter~~. The key employee applicant or licensee shall provide all information, documents, and materials at the key employee's applicant's or licensee's sole expense and cost, except that a casino operator ~~applicant or licensee that has employed the applicant or licensee as a~~ key employee or otherwise requests licensure of the key employee shall pay the costs and ~~except that a casino operator, management company, or gaming related gaming-related vendor, applicant or licensee or holding company that controls a casino operator or management company applicant or licensee otherwise requesting the key employee license on the key employee's behalf of the applicant or licensee~~ may pay the costs.

(F) An individual may apply for a provisional key employee license only by completing and filing ~~the appropriate a comprehensive application on~~ form(s) required by the commission, providing the commission with all information and documents that the commission requests, paying an application fee and license fee as described in rule 3772-5-03 of the Administrative

Code, and providing a written account of the exigent circumstances requiring the issuance of a provisional license. Exigent circumstances shall include conditions of a casino operator, management company, ~~or gaming-related gaming-related~~ vendor, ~~applicant or licensee~~ or holding company that ~~directly or indirectly owns, has the power or right to control, or holds with power to vote, any part of a casino operator or management company applicant or licensee that~~ requires the employment of the applicant as a key employee prior to the issuance of a plenary key employee license. Upon submission of a complete application, all applicable fees, and a good showing of exigent circumstances, the commission may issue a provisional license. Provisional licenses shall be valid not longer than three months and may be renewed one time. A provisional licensee may request the renewal of a provisional license by filing a written request with the commission no later than ten days prior to the expiration of the provisional license providing a written account of the exigent circumstances requiring the renewal of the provisional license along with an additional license fee as described in rule 3772-5-03 of the Administrative Code.

(G) Pursuant to division (A)(14) and subject to division (C) of section 3772.16 of the Revised Code, ~~certain information submitted, collected, or gathered as part of an application to the commission for a key employee license is information provided in a multijurisdictional personal history disclosure form, including the Ohio supplement, exhibits, attachments, and updates is~~ confidential and not subject to disclosure as a record under section 149.43 of the Revised Code. The applicant should clearly identify those portions of the application that it deems to be confidential, proprietary commercial information or trade secrets. Applications shall be open to public inspection to the extent permitted by sections 149.43 and 3772.16 of the Revised Code. ~~An applicant is advised that, upon request by a third party for information that the applicant has clearly identified as protected from disclosure, the commission will notify the applicant and, following such notification, will make a determination whether the information must be disclosed. If it is determined by the commission that the information is to be disclosed to a third party, the commission shall notify the applicant of its decision. Following that notification, the information shall be provided to the third party within a reasonable period of time unless otherwise prohibited from being released. An applicant waives any liability of the State of Ohio, the commission, the employees of the commission and its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner.~~