

3772-13-02 Advertising; promotion of responsible gaming.

(A) Advertising shall be based upon fact, and shall not be false, deceptive, or misleading, and no advertising by the casino operator shall:

(1) Use any type, size, location, lighting, illustration, graphic depiction, or color resulting in the obscuring of any material fact;

(2) Fail to clearly and conspicuously specify and state any material conditions or limiting factors;

(3) Depict any person under the age of twenty-one engaging in casino gaming and related activities; or

(4) Fail to designate and state the name and location of the casino facility conducting the advertisement. The location of the casino need not be included on billboards within thirty miles of the casino facility.

(B) Each advertisement shall, clearly and conspicuously, state the problem gambling hotline number established under section [3772.062](#) of the Revised Code.

(C) Each direct advertisement shall, clearly and conspicuously, describe a method or methods by which an individual may designate that the individual does not wish to receive any future direct advertisement.

(1) The described method must be by at least two of the following:

(a) Telephone;

(b) Regular U.S. mail; or

(c) Electronic mail.

(2) Upon receipt of an individual's request described in paragraph (C) of this rule, a casino operator ~~licensee or applicant~~ shall "flag" the individual in the casino operator's database so as to prevent the individual from receiving future direct advertisements within fifteen days of receipt of the request.

(D) Each casino operator ~~licensee or applicant~~ shall provide to the commission at its main office in Columbus a complete and accurate copy of all advertisements at least five business days in advance of the advertisement's public dissemination. Casino operators ~~licensees or applicants~~ shall discontinue the public dissemination upon receipt of notice from the commission to discontinue an advertisement.

(E) A casino operator ~~licensee or applicant~~ shall maintain a complete record of all advertisements for a period of at least ~~five~~two years. Records shall be made available to the commission upon request.