

**3772-50-04 Skill-based amusement machine vendor licensure.**

(A) Except as provided in paragraph (G) of this rule, a person seeking a skill-based amusement machine vendor license shall apply for licensure via the state of Ohio eLicense website at [www.elicense.ohio.gov](http://www.elicense.ohio.gov), comply with all instructions, and pay a non-refundable fifteen thousand dollar application fee.

(B) An applicant for a skill-based amusement machine vendor license shall establish, by clear and convincing evidence, the applicant's suitability for licensure.

(C) In determining whether to grant or maintain the privilege of a skill-based amusement machine vendor license, the commission shall evaluate each applicant and licensee in a manner consistent with the commission's authority to do the same with respect to casino gaming, including:

- (1) The reputation, experience, and financial integrity of the applicant or licensee and the applicant's or licensee's affiliates or affiliated companies;
- (2) The reputation, experience, and financial integrity of any person that directly or indirectly controls or influences the decision-making of the applicant or licensee;
- (3) If the applicant or licensee has filed, or had filed against it, a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise resolve the payment of any debt;
- (4) If the applicant or licensee is or has been a defendant in litigation involving the applicant's or licensee's business practices;
- (5) Whether and to what extent the applicant or licensee has associated with members of organized crime and other persons of disreputable character;
- (6) The extent to which the applicant or licensee has cooperated with the commission;
- (7) Whether the applicant or licensee has provided accurate and complete information as required by the commission or submitted false or misleading information to the commission;
- (8) If the applicant or licensee or any person that directly or indirectly controls the applicant or licensee has been indicted, convicted, or pleaded guilty or no contest concerning any criminal offense under the laws of any jurisdiction, excluding minor traffic violations;
- (9) If the applicant or licensee has been served with a complaint or other notice filed with any public body regarding a payment of any tax, required under federal, state, or local law, that has been delinquent for one or more years;

(10) If the applicant or licensee has shown a disregard of or otherwise failed to comply with the laws and regulations of this state or any other jurisdiction;

(11) If awarding or maintaining a license would undermine the public's confidence in skill-based amusement machine gaming in this state; and

(12) The suitability of any other material person, as determined by the commission.

(D) A skill-based amusement machine vendor licensee must maintain its suitability at all times during the licensure period.

(E) Except as provided in paragraph (G) of this rule, upon determination by the commission that an applicant for a new or renewal skill-based amusement machine vendor license is suitable to be issued a license, the applicant shall pay an upfront non-refundable license fee of five-thousand dollars.

(F) If the commission determines that a person is suitable to be issued a skill-based amusement machine vendor license and all other requirements of this chapter have been met, the commission shall issue a license for not more than three years.

(G) If a skill-based amusement machine vendor is licensed as a skill-based amusement machine operator, the skill-based amusement machine vendor is not required to pay the application fee described in paragraph (A) of this rule or the license fee described in paragraph (E) of this rule.