

3772-50-28 Sanctions.

(A) The commission may sanction any certified independent skill-based amusement machine testing laboratory, licensee, applicant, or other person subject to the requirements of this chapter for any of the following:

- (1) Violating or failing to meet any provision or requirement of Chapters 2915. and 3772. or any rules adopted thereunder;
- (2) Engaging in any misrepresentation or material omission;
- (3) Engaging in any fraudulent act;
- (4) Failing to cooperate with the commission;
- (5) Failing to comply with all terms and conditions of a settlement agreement or agreed order with the commission, and any subsequent amendments or modifications thereto;
- (6) Failing to comply with the terms and conditions of a commission order or resolution, and any subsequent amendments or modifications; or
- (7) Engaging in any conduct that undermines the integrity of skill-based amusement machine gaming or the public's confidence in skill-based amusement machine gaming.

(B) The commission shall have the authority to impose any sanction set forth in Chapters 2915. and 3772. of the Revised Code and any rules adopted thereunder, including any of the following:

- (1) Denial, non-renewal, revocation, suspension, conditioning, or restriction of a license;
- (2) Revocation, suspension, or restriction of the conduct or participation in the conduct of skill-based amusement machine gaming in this state;
- (3) A monetary fine;
- (4) A monetary civil penalty;
- (5) The forfeiture of a skill-based amusement machine; or
- (6) Any other sanction imposed upon or agreed to by a certified independent skill-based amusement machine testing laboratory, licensee, applicant, or any other person.

(C) Without in any manner limiting the authority of the commission to impose the level and type of sanction it may consider appropriate, the commission may take into consideration:

- (1) The risk to the public and the integrity of skill-based amusement machine gaming in this state by the conduct of the certified independent skill-based amusement machine testing laboratory, licensee, applicant, or other person;
- (2) Any criteria or factor listed in Chapters 2915. or 3772. of the Revised Code and any rules adopted thereunder; or
- (3) Any other factors the commission may consider relevant.

(D) Any skill-based amusement machine key employee licensee whose employment has been terminated is subject to revocation of his or her license for any act or failure to act that occurred while employed by a skill-based amusement machine vendor, operator, or location.

(E) The commission may impose a monetary civil penalty or fine and may consider the certified independent skill-based amusement machine testing laboratory's, licensee's, applicant's, or other person's finances in determining the amount of the fine. If the alleged violation is the result of or results in the unlawful obtainment or retention of any money or property, the commission may, in addition to any other penalty or fine levied under Chapters 2915. and 3772. of the Revised Code or any rules adopted thereunder, impose a civil penalty or fine in an amount equal to the money or value of the property that was unlawfully obtained or retained.

(F) The commission shall not be precluded from finding multiple violations within a day, if each violation is the result of separate and distinct acts.

(G) The commission may hold applicants, licensees, or other persons jointly and severally liable for violations of Chapters 2915. and 3772. of the Revised Code and the rules adopted thereunder.