

3772-50-16 Prohibited activities.

(A) No skill-based amusement machine vendor shall manufacture, sell, or distribute type-B or type-C skill-based amusement machines, to be used in Ohio, to any person not licensed by the commission as a skill-based amusement machine vendor or skill-based amusement machine operator under this chapter.

(1) A skill-based amusement machine vendor, licensed by the commission under this chapter, may purchase or otherwise obtain a type-B or type-C skill-based amusement machine from a skill-based amusement machine vendor not licensed by the commission under this chapter.

(2) No skill-based amusement machine vendor that obtains a type-B or type-C skill-based amusement machine according to paragraph (A)(1) of this rule shall fail to ensure that the skill-based amusement machine complies with Chapters 2915. and 3772. of the Revised Code and this chapter.

(B) No type-B skill-based amusement machine operator, or type-C skill-based amusement machine operator shall purchase or otherwise obtain a type-B or type-C skill-based amusement machine, to be used in Ohio, from a person not licensed by the commission as a skill-based amusement machine vendor under this chapter

(C) Except as provided in paragraph (A)(3) of rule 3772-50-03 of the Administrative Code, no type-C skill-based amusement machine operator shall place, provide, or make available a type-C skill-based amusement machine at a location other than a type-C skill-based amusement machine location licensed by the commission under this chapter.

(D) Except as provided in paragraph (N) of this rule, no person shall revenue-share or otherwise obtain a type-B skill-based amusement machine from any person not licensed by the commission as a type-B or type-C skill-based amusement machine operator under this chapter.

(E) No type-C skill-based amusement machine location shall revenue-share or otherwise obtain a type-C skill-based amusement machine from any person not licensed as a type-C skill-based amusement machine operator under this chapter.

(F) No skill-based amusement machine vendor, skill-based amusement machine operator, or type-C skill-based amusement machine location shall be owned by or employ, contract with, or otherwise accept the services of any skill-based amusement machine key employee other than a skill-based amusement machine key employee licensed by the commission under this chapter.

(G) No person shall extend any form of credit to a player of a skill-based amusement machine or allow deferred payment where a player receives something of value with the agreement to repay the lender in the future for the purpose of playing a skill-based amusement machine.

(H) No person shall modify, alter, change, or turn on or off any electronic or mechanical feature of a skill-based amusement machine that makes the skill-based amusement machine not comply with any requirements under this chapter.

(I) No person shall facilitate or aid another person in further redeeming any merchandise prize previously awarded as a result of playing any skill-based amusement machine for a prize prohibited under section 2915.01 of the Revised Code or this chapter.

(J) No person shall conduct, participate in conducting, or otherwise operate a skill-based amusement machine or advertise in a manner inconsistent with Chapters 2915. and 3772. of the Revised Code and the rules adopted thereunder.

(K) No person shall copy, duplicate, or otherwise create or re-create any registration, license, seal, or other item that suggests or tends to suggest the authority to sell, lease, or otherwise provide the authority to conduct or participate in conducting skill-based amusement machine gaming.

(L) No person shall submit the same skill-based amusement machine or related electronic or digital components, such as software, for testing under this chapter to more than one certified independent skill-based amusement machine testing laboratory, unless approved, in writing, by the executive director of the commission or his or her designee.

(M) No certified independent skill-based amusement machine testing laboratory shall test or accept for testing under this chapter the same skill-based amusement machine or related electronic or digital components, such as software it knows or has reason to suspect has been submitted for testing at another certified independent skill-based amusement machine testing laboratory unless approved, in writing, by the executive director of the commission or his or her designee.

(N) No skill-based amusement machine vendor shall participate in any revenue-sharing agreement or contract where the skill-based amusement machine vendor receives anything of value based on the amount of coin-in, revenue, receipts, or other performance of a type-B or type-C skill-based amusement machine, unless:

- (1) The skill-based amusement machine vendor participates in a revenue-sharing agreement with a licensed type-B skill-based amusement machine operator or licensed type-C skill-based amusement machine operator;
- (2) The skill-based amusement machine vendor has no responsibility with respect to the operation or conduct of skill-based amusement machine gaming except for receipts under the revenue-sharing agreement;
- (3) The skill-based amusement machine vendor is not entitled to a greater percentage of revenue under the revenue-sharing agreement than the type-B skill-based amusement machine operator or type-C skill-based amusement machine operator, as applicable; and
- (4) The skill-based amusement machine vendor provides a copy of the revenue-sharing agreement to the commission.

(O) No person shall award to a player a merchandise prize, or a redeemable voucher for a merchandise prize, with a wholesale value in excess of ten dollars as a result of a single play of a skill-based amusement machine.

(P) No person shall fail to submit any form, report, or information required under this chapter or requested by the commission.

(Q) No person shall issue a refund of a merchandise prize or redeemable voucher for a merchandise prize awarded to a player of a skill-based amusement machine. Nothing in this rule shall prohibit a person from replacing or exchanging a merchandise prize with a merchandise prize of the same wholesale value.

(R) No person may redeem a redeemable voucher for a merchandise prize except a skill-based amusement machine operator or location licensed by the commission under this chapter.

(S) No skill-based amusement machine operator or location shall knowingly award a merchandise prize that is not operational or does not function as advertised or displayed.

(T) In addition to any other sanction imposed under Chapters 2915. and 3772. of the Revised Code and the rules adopted thereunder, a person who violates any provision of this rule shall be subject to sanctions in accordance with rule 3772-50-28 of the Administrative Code.