

3772-6-01**Gaming-Related Vendor License.**

The following shall obtain and hold a Gaming-Related Vendor License:

- (A) Any individual, partnership, corporation, association, trust, or any other group of individuals (however organized) who supplies gaming-related equipment, goods, or services to a casino operator or management company that are directly related to or affect casino gaming authorized under Chapter 3772 of the Ohio Revised Code, including but not limited to, the manufacture, sale, distribution, or repair of slot machines, as defined by section 3772.01(U) of the Ohio Revised Code, and table game equipment, as defined by section 3772.01(V) of the Ohio Revised Code; and
- (B) Any management company, as defined by section 3772.01(Q) of the Ohio Revised Code, owning casino gaming devices, supplies, and equipment.

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Rule Amplifies: 3772.09(A), 3772.12, 3772.121

3772-6-02

**Gaming-Related Vendor License Application, License Period, and License Renewal.**

- (A) An Applicant for a Gaming-Related Vendor License shall complete and submit the appropriate form(s) required by the Commission and pay an application fee and license fee as described in section 3772:6-3 of this chapter.
- (B) A Gaming-Related Vendor License expires three years after the date of licensure.
- (C) A Gaming-Related Vendor Licensee may request renewal of the license by completing and submitting, not less than ninety days before the expiration of the license, the appropriate form(s) required by the Commission and paying an application fee and a license fee as described in section 3772:6-3 of this chapter.
- (D) All Gaming-Related Vendor Licensees shall undergo a complete investigation at least once every three years, as determined by the Commission, to verify each Licensee remains in compliance with Chapter 3772 of the Ohio Revised Code and this chapter. The Gaming-Related Vendor Licensee shall bear the costs of the investigation.
- (E) The Commission may request any other information that would affect the Applicant's or Licensee's suitability to obtain and hold a Gaming-Related Vendor License under Chapter 3772 of the Ohio Revised Code or this chapter. The Applicant or Licensee shall provide all information, documents and materials at the Applicant's or Licensee's sole expense and cost.
- (F) Pursuant to section 3772.16(A) of the Revised Code, certain information submitted, collected, or gathered as part of an application to the Commission for a Gaming-Related Vendor license 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.

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3772.16

3772-6-03

**Gaming-Related Vendor Fees.**

- (A) An Applicant for a Gaming-Related Vendor License or Renewal License shall pay a nonrefundable application fee of ten thousand dollars.
- (B) The application fee for a Gaming-Related Vendor License or Renewal License may be increased to the extent that the cost of the background investigation relating to an Applicant exceeds the application fee set forth in subsection (A) of this section. The Executive Director of the Commission, or the designee thereof, shall advise the Applicant in writing that an additional application fee is required and the amount of the additional fee that must be provided. Once an Applicant is directed to submit an additional application fee, the Commission will take no additional steps with respect to the application until the increased application fee is paid in accordance with subsection (D) of this section.
- (C) Upon approval by the Commission, the Applicant for a Gaming-Related Vendor License or Renewal License shall pay a nonrefundable license fee of fifteen thousand dollars.
- (D) All fees shall be submitted to the Commission in the form of a certified check, cashier's check, or electronic funds transfer payable to the Treasurer of the State of Ohio.

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3772.17(C), 3772.15

3772-6-04

**Duty to Update Information.**

(A) All Gaming-Related Vendor Applicants and Licensees shall submit to the Commission, in writing, the following information:

- (1) Changes to the name of the Applicant or Licensee;
- (2) Changes to the state of incorporation or principal place of business of the Applicant or Licensee;
- (3) Changes to the Applicant's list of all equipment, devices, and supplies offered for sale or lease in connection with casino games authorized under Chapter 3772 of the Ohio Revised Code and this chapter;
- (4) Any bankruptcy filed by the Applicant or Licensee;
- (5) Any arrest of or charge filed against the Applicant or Licensee for any crime or offense occurring in any jurisdiction, excluding minor traffic offenses;
- (6) Any inquiry into, investigation of, or action filed against the Applicant or Licensee by any gaming regulatory agency or governmental gaming authority, except for routine renewal application reviews;
- (7) Any rejection, suspension, revocation, or denial of any gaming-related application or license, and any fine, penalty, or settled amount relating to any gaming-related license imposed upon or agreed to by the Licensee or Applicant in any jurisdiction; and
- (8) Any other information that would affect the Licensee's or Applicant's suitability to maintain a Gaming-Related Vendor License under Chapter 3772 of the Ohio Revised Code or this chapter.

(B) All information required to be submitted under this section must include the name and license number of the Gaming-Related Vendor Applicant or Licensee and be submitted within ten calendar days of the change or occurrence of the event.

(C) Information submitted pursuant to this section shall be open to public inspection to the extent permitted by sections 149.43 and 3772.16 of the Ohio Revised Code. Further, the public disclosure to a third party of information marked confidential, proprietary commercial information or trade secrets by the Applicant shall be governed by the procedures outlined in division (F) of section 3772:6-2 of this rule.

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(D)(1), 3772.16

3772-6-05

**Affirmative license standards.**

(A) An applicant for a gaming-related vendor license shall establish, by clear and convincing evidence, the applicant's suitability for licensure.

(B) In determining whether to grant, maintain or renew a gaming-related vendor license, the commission shall evaluate and consider the following factors in addition to those set forth in Chapter 3772. of the Revised Code:

(1) The reputation and business experience of the applicant and its holding companies;

(2) Whether the applicant and its holding companies possess good character, honesty and integrity;

(3) Whether the applicant and its holding companies possess financial stability, integrity and responsibility;

(4) The ability of the applicant to purchase and maintain adequate liability and casualty insurance;

(5) The compliance history of the applicant, its holding companies and its affiliates or affiliated companies with casino-related licensing requirements in this state or any other jurisdiction;

(6) The criminal history of the applicant and its holding companies in any jurisdiction;

(7) Whether and to what extent the applicant or its holding companies have associated with members of organized crime and other persons of disreputable character;

(8) Whether the applicant or its holding companies have filed or had filed against it a proceeding for bankruptcy or have ever been involved in any formal process to adjust, defer, suspend or otherwise resolve the payment of any debt;

(9) Whether the applicant or its holding companies have 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) Whether the applicant or its holding companies have been a defendant in litigation involving its business practices during the past ten years;

(11) The extent to which the applicant or its holding companies have cooperated with the commission in connection with the background investigation;

(12) The extent to which the applicant or its holding companies have provided

accurate and complete information as required by the commission;

(13) Whether awarding the license would undermine the public's confidence in the casino gaming industry in this state; and

(14) The suitability of any material person as determined by the executive director or his/her designee.

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