

### **3774-3-01 Fantasy contest operator internal procedures.**

(A) Fantasy contest operators shall draft written internal procedures, which shall, at a minimum, include procedures for ensuring compliance with all the following:

- (1) Complying with all applicable state and federal requirements, as well as industry-standard procedures, to protect the privacy and online security of fantasy contest players and their accounts, including procedures preventing unauthorized withdrawals from fantasy contest player accounts;
- (2) Suspending or banning the account of fantasy contest players who violate a fantasy contest operator's internal procedures, the rules or terms of a fantasy contest, or fantasy contest law, applicable to a fantasy contest player;
- (3) Providing fantasy contest players with free and immediate access to information on playing responsibly and seeking assistance for compulsive behavior, including at a minimum:
  - (a) The national council on problem gambling's twenty-four hour confidential helpline, the problem gambling hotline number established under section 3772.062 of the Revised Code, or another helpline approved by the executive director that is free of charge to the fantasy contest player; and
  - (b) Educational information from a reputable mental health or addiction services organization on identifying, monitoring, and managing compulsive behavior, including information for individuals assisting a person in doing so;
- (4) Establishing the maximum number of entries that a fantasy contest player may submit to each fantasy contest and clearly and conspicuously notifying fantasy contest players of what that limit is prior to the player paying any entry fee;
- (5) Verifying the identity of fantasy contest players;
- (6) Prohibiting the following:
  - (a) Fantasy contest operator employees, relatives living in the same household as those employees, and athletes, coaches, referees, and other participants in the underlying professional sports competitions from competing in any public fantasy contest offered by a fantasy contest operator; and
  - (b) Anyone from sharing material nonpublic information gained from a fantasy contest operator with third parties;
- (7) Governing fantasy contest operator employees', relatives' living in the same household as those employees, and athletes', coaches', referees', and other participants' competition in private fantasy contests to prohibit the misuse of material

nonpublic information gained from a fantasy contest operator in any private fantasy contest entered;

- (8) Ensuring that fantasy contest operators prohibit access to all the following:
  - (a) Individuals under eighteen years of age;
  - (b) Individuals who, upon request, seek to restrict themselves from entering fantasy contests; and
  - (c) Fantasy contest players who have been permanently barred or whose accounts have been suspended by the operator for violating a fantasy contest operator's internal procedures, the rules or terms of a fantasy contest, or fantasy contest law, applicable to the fantasy contest player;
- (9) Ensuring that fantasy contest operators protect fantasy contest player funds from operational funds in a manner consistent with division (A)(3) of section 3774.03 of the Revised Code and that fantasy contest player funds are shielded from creditors other than the fantasy contest players for whose benefit and protection the segregation or reserve has been established;
- (10) Describing how entry fees will be returned to fantasy contest players in the event a fantasy contest is canceled after entry fees have been paid;
- (11) Detailing how fantasy contest operators will process unclaimed funds in accordance with Chapter 169. of the Revised Code;
- (12) Ensuring that fantasy contest operators complete all the following within five business days:
  - (a) Deposit cash and cash equivalent prizes won from fantasy contests into a fantasy contest player's account;
  - (b) Fund withdrawal requests from a fantasy contest player's account, unless the fantasy contest operator believes in good faith that the fantasy contest player engaged in either fraudulent conduct or other conduct that would put the operator in violation of fantasy contest operator's internal procedures, the rules or terms of a fantasy contests, fantasy contest law, or other legal requirements. In which case, the operator may decline to honor the request for withdrawal for a reasonable investigatory period until its investigation is resolved. For purposes of this provision, a request for withdrawal will be considered honored if it is processed by the operator but delayed by a payment processor, credit card issuer, or by the custodian of a financial account; and
  - (c) Requests to close a fantasy contest player's account;

- (13) Detailing how non-cash or non-cash equivalent prizes will be given or otherwise made available to fantasy contest players;
- (14) Prescribing requirements related to beginning players and highly experienced players, including, at a minimum:
  - (a) The definitions of a beginning player and a highly experienced player;
  - (b) The method by which fantasy contests operators will clearly and conspicuously identify highly experienced players in fantasy contests;
  - (c) How the fantasy contest operator will offer some fantasy contests open only to beginning players; and
  - (d) The process by which fantasy contest operators will offer introductory procedures for fantasy contests for beginning players, which shall:
    - i. Be clearly and conspicuously offered to a beginning player before that player has paid any entry fee to the fantasy contest operator
    - ii. Explain fantasy contest play, what the definition of a highly experienced player is, and how to identify highly experienced players; and
    - iii. Recommend beginning player-only contests as a learning experience;
- (15) Operating a voluntary restriction program for those individuals who seek to restrict themselves from entering fantasy contests. This program shall include all the following:
  - (a) All notifications or restrictions offered to players, which shall include complete exclusion and may include contest entry, entry fee, and deposit limits, among other notifications or restrictions;
  - (b) How fantasy contest players may request a notification or restriction;
  - (c) How fantasy contest operators will clearly and conspicuously make the program available to fantasy contest players;
  - (d) How fantasy contest players may request to have their selected notification or restriction adjusted or removed, including allowing them to have the option to adjust these notifications or restrictions to make them more restrictive as often as they like but not allowing them to have the option to remove or make notifications or restrictions less restrictive within 90 days of setting the notification or restriction at issue;

- (e) How the fantasy contest operator will keep the name and other personal information of those participating in the program confidential. Nothing in this provision restricts operators from sharing this information with each other for the sole purpose of operating joint voluntary restriction programs;
  - (f) The duties of the fantasy contest players enrolled in the voluntary restriction program; and
  - (g) The duties of the fantasy contest operator with respect to the program, including how the operator will identify and prevent those on the program from participating in fantasy contests in violation of the selected restriction or being targeted by the operator's advertisements;
- (16) Identifying authorized scripts that are made readily available to all fantasy contest players and detecting and preventing unauthorized scripts and access;
  - (17) Creating and following a third-party audit schedule compliant with rule 3774-03-06 of the Administrative Code;
  - (18) Investigating fantasy contest player complaints that a violation of fantasy contest law has occurred;
  - (19) Monitoring, identifying, investigating, correcting, and reporting to the executive director any violations in the internal procedures adopted pursuant to this rule; and
  - (20) Any other internal procedures required by the executive director.

(B) Fantasy contest operators shall submit the internal procedures required pursuant to this rule as an appendix to each application submitted by the fantasy contest operator.

(C) Fantasy contest operators who amend these internal procedures prior to the fantasy contest operator's next application must submit the amendments prior to or contemporaneous with when the changes are made, with all changes tracked, in the manner prescribed by the executive director.