Ohio Lottery Commission
Video Lottery Sales Agent Fine Schedule

The Ohio Lottery has established rules and regulations establishing the framework for video lottery sales are racetrack locations. Violation of those rules and regulations may subject VLSA to sanctions including suspension or revocation of licenses or the levying of fines.

OAC 3770:2-3-05 Video lottery licenses; suspension or revocation.
(C) When required to so by the Administrative Procedure Act, the director shall afford a hearing to a video lottery sales agent affected by an order to suspend or revoke a video lottery license. Such hearings shall be conducted by the director or a hearing examiner designated by the director and shall comply with the requirements for adjudication hearings set out in the Administrative Procedure Act.

(D) If a video lottery sales agent's video lottery license is revoked, a video lottery agent may reapply, but any subsequent application shall require submission of a new application and payment of a separate application fee and licensing fee, as applicable, and shall only be submitted after any waiting period for reapplication, if any, established by the director, has expired.

OAC 3770:2-3-06 Video lottery licenses; fines.
(A) As determined by the director, monetary fines may be imposed upon a video lottery sales agent who does not comply with the Lottery Act, all rules, regulations, terms and conditions, policies, orders and directives adopted, promulgated or issued by the commission or the director which may include but may not be limited to a determination that a video lottery sales agent has failed to comply with or violated any provisions set forth in paragraphs (A)(1) to (A)(3) of rule 3770:2-3-05 of the Administrative Code.

(B) Any fines under this section may be in addition to or in lieu of a suspension or revocation under rule 3770:2-3-05 of the Administrative Code.

Violation	Fine (maximum per occurrence)	OAC 3770 (Reference)
Conducting advertising or promotional campaigns deemed to be inappropriate.	$1,000 [1]	**3770:2-6-05** The director may prohibit video lottery sales agents from engaging in certain advertising and promotions deemed by the director to be inappropriate. Unless otherwise approved by the director, any costs associated with advertising or promotions initiated by the video lottery sales agent are the responsibility of the video lottery sales agent. The director may initiate advertising and promotional programs and may provide video lottery sales agents with such materials as deemed appropriate
Failure to provide the OLC with video lottery terminal floor plans and to update them as appropriate.	$1,000	**3770: 2-6-04 (B)** Relocation and installation of video lottery terminals within a video lottery sales agent's facility. As required by the director, a video lottery sales agent shall provide the lottery with an updated video lottery terminal floor plan which sets forth the number of video lottery terminals, the names of the video lottery terminal providers (and the number of video lottery terminals provided by each different video lottery terminal provider), and the location of each video lottery terminal.

Violation	Fine (maximum per	OAC 3770

Original version: 1-1-13
Revised 6-3-13
Revised 5-15-14

Ohio Lottery Commission
Video Lottery Sales Agent Fine Schedule

	occurrence)	(Reference)
Employing an individual without an appropriate key gaming, gaming, or non-gaming license.	$1,000 per employee, per day	**3770:2-3-06 (A)** As determined by the director, monetary fines may be imposed upon a video lottery sales agent who does not comply with the Lottery Act, all rules, regulations, terms and conditions, policies, orders and directives adopted, promulgated or issued by the commission or the director which may include but may not be limited to a determination that a video lottery sales agent has failed to comply with or violated any provisions set forth in paragraphs (A)(1) to (A)(3) of rule 3770:2-3-05 of the Administrative Code.
A VLSA that does not have required certifications for video lottery terminals and video lottery games prior to operation by the public.	$1,000 per machine	**3770: 2-6-04(C**) All certifications required by the lottery for video lottery terminals and video lottery games must be provided and must occur in accordance with rule 3770:2-5-01 of the Administrative Code and any other required procedures and any required certifications shall be in place prior to operation by the public of any video lottery terminal.
A VLSA that has more than two thousand five hundred video lottery terminals operational at the licensed facility without the approval of the Director.	$1,000 per day[2]	**3770:2-6-01(B)** A determination regarding the number of video lottery terminals that shall be located at and operational at the licensed facility shall involve discussions between the video lottery sales agent and the director. Unless otherwise approved by the director, no video lottery sales agent shall have more than two thousand five hundred video lottery terminals operational at the licensed facility.
A VLSA permits an individual less than twenty-one years of age to play a video lottery game.	$10,000 per occurrence	**3770:2-7-01(A)** Video lottery games may be played by and video lottery prize payments may be paid to video lottery participants. In the event that an individual under twenty-one years of age plays a video lottery game, the play of the game is voidable and the individual under twenty-one years of age forfeits all credits **3770:2-3-05(A)(1)(g)** Allowing an individual under the age of twenty-one to play video lottery games or to be paid a video lottery prize payment
A VLSA permits an individual less than twenty-one years of age to play a video lottery game and to win a video lottery jackpot	$10,000 per occurrence. In addition, the jackpot shall be voided and the VLSA shall forfeit the commission derived from the canceled jackpot (66.5% of amount).	**3770:2-7-01 (A)** (A) Video lottery games may be played by and video lottery prize payments may be paid to video lottery participants. In the event that an individual under twenty-one years of age plays a video lottery game, the play of the game is voidable and the individual under twenty-one years of age forfeits all credits. **3770:2-3-05(A)(1)(g)** Allowing an individual under the age of twenty-one to play video lottery games or to be paid a video lottery prize payment

Original version: 1-1-13
Revised 6-3-13
Revised 5-15-14

Ohio Lottery Commission
Video Lottery Sales Agent Fine Schedule

A VLSA fails to demonstrate control of individuals less than twenty-one years of age that traverse the gaming floor at all times while within the facility.	$1,000 per occurrence	**OLC Security and Surveillance Policy** VLSAs must demonstrate active control over individuals less than twenty one years of age traversing the gaming floor to prevent these individuals from loitering or stopping while en route to age allowable venues such as the race track, entertainment, or restaurants.
Violation	**Fine (maximum per occurrence)**	**OAC 3770 (Reference)**
A VLSA who does not seek approval by the director prior to putting VLT into operation.	$1,000 per day[2]	**3770:2-3-05(A)(1) (i) and (j)** (i) Offering a video lottery game that has not been approved by the director or commission, as applicable; (j) Maintaining, installing or operating devices for the sale of video lottery at the facility approved for a video lottery license other than video lottery terminals authorized and approved by the director for use in connection with video lottery;
A VLSA who sets the theoretical payout of a VLT to below eighty-five percent.	$25,000 per machine	**3770:2-10-60 (D)** The value of video lottery prize winnings and the number and type of different video lottery prize winning combinations available for each video lottery game shall be established by the director and shall be subject to approval through a resolution of five commissioners present at a meeting of the commission prior to the video lottery game being available to a video lottery sales agent for sale to video lottery participants. No resolution shall be approved unless there is a projected average return to video lottery participants of eighty-five per cent or more during the expected lifetime of the video lottery game using standard methods of probability theory
Failure to maintain any required surety bond, dedicated non-revocable letter of credit, or other form of credit authorized or required by the director.	$10,000	**3770:2-3-05 (A) (1)(b)** A video lottery license may be suspended or revoked as set forth in this rule: (b) Failure to maintain any required surety bond, dedicated non-revocable letter of credit, or other form of credit authorized or required by the director
Failure to maintain any insurance, coverage and/or bonds required by the director.	$10,000	**3770:2-3-05(A)(1)(c)** Failure to maintain any insurance, coverage and/or bonds required by the director;
Failure to maintain adequate and sufficient security for video lottery terminals or video lottery games provided in the State.	$10,000	**3770:2-3-05(A)(1)(h)** Failure to maintain adequate and sufficient security at the video lottery sales agent's licensed facility;

Ohio Lottery Commission
Video Lottery Sales Agent Fine Schedule

Failure to provide any required notice or failure to obtain any required approval prior to transportation of a video lottery terminal within or out of the State.	$10,000	**3770:2-6-04 (A)** Transportation of video lottery terminals. Prior to transportation of a video lottery terminal within or out of the state, the video lottery sales agent and/or technology providers shall provide prior notification to the director. Notification shall be provided in a manner determined by the director to be acceptable.
Violation	**Fine (maximum per occurrence)**	**OAC 3770 (Reference)**
Failure to adhere to all the terms and conditions as set forth in the licensing agreement, including any amendments or modifications.	$10,000	**3770:2-3-05(A)(1) (p)** Failure to adhere to all the terms and conditions as set forth in the licensing agreement, including any amendments or modifications thereto.
Failure to comply with ongoing duty to report changes in financial condition, criminal activities, and other incidents as set in policy.	$50,000	**3770:2-3-05 (A)(3)** The director may suspend or revoke a video lottery license if, at any time after issuance of a video lottery license, the director determines that a video lottery sales agent no longer meets the requirements and standards for issuance of a video lottery license as set forth in the Lottery Act, commission rules, regulations, policies, orders and directives adopted, promulgated or issued by the commission or the director.
If the director has determined that a VLSA provider should be subjected to a criminal background check and is convicted of any of the offenses set forth in divisions(C)(1) to (C)(5) and (E)(1) to (E)(2) of Section 3770.05 of the Revised Code, or any other criminal violation which as determined may negatively impact the integrity of the lottery.	$50,000	**3770:2-3-05(2)** The director may suspend or revoke a video lottery license if a video lottery sales agent, or any of its video lottery principals or any person who the director has determined should be subjected to a criminal background check are convicted of any of the offenses set forth in divisions(C)(1) to (C)(5) and (E)(1) to (E)(2) of section 3770.05 of the Revised Code, or any other criminal violation which as determined by the director may negatively impact the integrity of the lottery.
Failure to complete the transfer of funds required in order to settle the weekly invoices sent to the VLSA.	10% of the transfer	**3770:2-3-10 (E)** Penalties for non-transfer of funds. The director may impose penalties for the failure of a video lottery sales agent to transfer funds to the lottery in a timely manner. Penalties may include, but are not limited to, monetary penalties, modification of license, immediate suspension or revocation. The director may adopt internal management regulations elaborating on any terms regarding the collection of sales revenues due and owing from the video lottery sales agents.

[1] Also the advertising and/or promotional campaign shall be required to be pulled from all media.

[2] Also subject to forfeit all revenue related to this machine.

Original version: 1-1-13
Revised 6-3-13
Revised 5-15-14