

SUMMARY OF PROPOSED RULES FOR FILING

OHIO CASINO CONTROL COMMISSION



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The rules presented here are being reviewed pursuant to the state’s rule-review requirement in R.C. 106.03 and are four rules contained in Ohio Adm.Code Chapter 3772-12 (Voluntary Exclusion and Compulsive and Problem Gambling Plan). The rules in this package are being submitted as “no change” rules and do not have any amendments. As bit of background, the rules contained in this package were updated in 2022 to accommodate changes related to the launch of sports gaming. The summaries of the rules for consideration are detailed below.

Voluntary Exclusion Program and Responsible Gambling Plans

- **3772-12-02 (no change), titled, “Ohio VEP application.”** This rule details the method to apply for the Ohio VEP, the minimum lengths of time applicants may select for exclusion, and that if an individual completes the application while impaired then it will be rejected. This rule created an online VEP portal system which can be used to submit an Ohio VEP application. The purpose of this rule is to give patrons who feel they may have a gambling problem the ability to voluntarily exclude themselves for the individual’s selected minimum length of time, aiding in combatting disordered and problem gambling in Ohio. Moreover, the rule, and this Chapter in general, is part of the Commission required rules under both R.C. 3772.03 and 3775.02.
- **3772-12-05 (no change), titled, “Removal from the Ohio voluntary exclusion program.”** This rule prescribes how participants in the Ohio VEP may remove themselves from the program. The rule states that participants will not automatically be removed from the program upon the expiration of the selected exclusion; rather each participant must request removal from the Ohio VEP. This rule allows the Commission to provide educational videos and materials that are incorporated into the Ohio VEP portal for all participants seeking enrollment or removal in the program. The purpose of this rule is to ensure an efficient VEP removal process, while providing for appropriate safeguards, including requiring an individual to make an affirmative choice to opt back into gambling. Moreover, the rule, and this Chapter in general, is part of the Commission required rules under both R.C. 3772.03 and 3775.02.

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- **3772-12-06 (no change), titled, “Compulsive and problem gambling plan.”** This rule details the procedures that must be included in each excluded entity’s and excluded facility’s disordered and problem gambling plan, as it relates to their status as an entity regulated by the Commission. This rule provides procedures regarding the implementation and enforcement of the Ohio VEP, providing responsible gambling materials to patrons, and the excluded entity’s and excluded facility’s commitment to preventing underage gambling and gambling by persons who are impaired by drugs or alcohol. In addition, this rule adds those sports gaming excluded entities and facilities to the list of those that must submit the plan. Lastly, the rule clarifies the information which must be provided to the Commission in the quarterly and annual reports. The purpose of this rule is to ensure that excluded entities and facilities are aiding the Commission in productively combatting disordered and problem gambling. Moreover, the rule, and this Chapter in general, is part of the Commission required rules under both R.C. 3772.03 and 3775.02.
- **3772-12-07 (no change), titled, “Prior voluntary exclusions.”** This rule is a grandfather provision that allows participants who joined the OCCC VEP prior to March 1, 2019, and have not yet sought removal, to continue their exclusion from only the four casino facilities. If the individual chooses to join the Ohio VEP, the length of exclusion the individual indicates on the Ohio VEP application supersedes the individual’s previously selected length of exclusion and expands the list of excluded properties to include all excluded entities and facilities. The rule allows participants of the “Ohio VEP” who joined after March 1, 2019, and prior to the effective date of this rule, and have not sought removal, to continue their participation and voluntary exclusion from only the four casino facilities and seven video lottery terminal facilities in the state of Ohio. The rule allows individuals to still join the updated Ohio VEP and the length of exclusion the individual indicates on the updated Ohio VEP application supersedes the individual’s previously selected length of exclusion and expands the list of excluded properties to include the excluded entities and facilities which are casinos, sports gaming facilities, or online sports pools. This will allow individuals to make affirmative choices as to what gambling they may be able to engage in responsibly and does not change the rules of their original commitment with the state. The purpose of this rule is to maintain the Commission’s commitment to currently existing voluntarily excluded individuals and Ohio VEP participants, while providing them with the opportunity to participate in the updated Ohio VEP, upon an informed decision. Moreover, the rule, and this Chapter in general, is part of the Commission required rules under both R.C. 3772.03 and 3775.02.