

This is a Draft Application. The Commission is not currently accepting sports gaming applications.

STATE OF OHIO

CASINO CONTROL COMMISSION



SPORTS GAMING SUPPLIER

LICENSE APPLICATION

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SPORTS GAMING SUPPLIER LICENSE APPLICATION INSTRUCTIONS

I. COMPLETING THE APPLICATION:

- A. Read each question carefully prior to answering. Answer every question completely. Do not leave blank spaces. If a question does not apply to you, indicate "Does not apply" in response to that question. If there is nothing to disclose in response to a particular question, write "None" in response to that question. **Note: The Commission will not review your Application unless you provide a response to every question.**
- B. The Commission will not review your Application if it is illegible or if you have modified any of the questions or pre-printed information in this form.
- C. All requested attachments to the Application should be numbered to correspond to the question they are responsive to and attached to the back of this form.
- D. If you have any questions about this Application or the licensing process, contact the Division of Licensing and Investigations at sportsgaming@casinocontrol.ohio.gov or (614) 387-5688.

II. BEFORE YOU SUBMIT THE APPLICATION TO THE COMMISSION, BE SURE THAT:

- A. Every question was answered completely, including all necessary appendices.
- B. A duly authorized representative has signed the Authorization, Certification, and Waiver document in this Application.
- C. A completed copy of the Application is retained for the Applicant's records.

III. FILING THE APPLICATION WITH THE COMMISSION

- A. A complete Application for a Sports Gaming Supplier License consists of this form, including all attachments, and the application fee made electronically at the time of filing. The fees relating to a Sports Gaming Supplier License are as follows:
 - 1. Upon submission of the Application to the Commission, the Applicant must pay a nonrefundable application fee of \$10,000 for an initial and renewal sports gaming supplier and all fees necessary to cover the cost of any required criminal-records checks.
 - 2. Upon the Commission's approval, the Applicant must pay a nonrefundable license fee of \$15,000 for an initial or renewal sports gaming supplier license.
 - 3. Upon the Commission's approval, the Applicant must pay an eLicense transaction fee of \$3.50, as required by R.C. 125.18(E).
- B. All fees must be submitted in the form of an electronic funds transfer payable to the Treasurer of the State of Ohio, unless otherwise approved by the Executive Director.
- C. The Application and all notices regarding an Application must be filed electronically with the Commission, including via email to sportsgaming@casinocontrol.ohio.gov, via a physical media drive

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(e.g., CD, thumb drive) mailed to the Commission's office at 100 E. Broad Street, 20th Floor Columbus, Ohio, 43215, or via secure online drop box, as approved by the Executive Director.

- D. Once an Application is accepted, it becomes the property of the Commission and may not be withdrawn without the permission of the Executive Director.

IV. IMPORTANT NOTICES

- A. Should you be unable to fully understand this form in English, it is your responsibility to acquire adequate means of interpretation or translation.
- B. Each Applicant must make accurate statements and include all material facts. Any failure may result in the denial of the Application, the suspension or revocation of any license issued by the Commission, or the imposition of fines or penalties.
- C. Pursuant to [R.C. 3775.14](#), certain information submitted, collected, or gathered as part of an Application is confidential and not subject to disclosure as a record under [R.C. 149.43](#). **Each Applicant should clearly identify those portions that it deems to be confidential, proprietary commercial information, or trade secrets.** Non-confidential information provided to the Commission is open to public inspection to the extent permitted by [R.C. 149.43](#) and [3775.14](#).

V. ONGOING DUTIES

- A. The Commission may request information not requested, or in addition to that which is provided, in the Application. The Applicant must provide all information, documents, materials, and certifications at the Applicant's expense and cost.
- B. Pursuant to Ohio Adm.Code 3775-4-01, any person who applies for or holds a Sports Gaming Supplier License has **a continuing duty to update** the Commission of changes to any information that the person is required to provide or has provided to the Commission, including information contained in the Application, as well as to any information required by Ohio Adm.Code 3775-4-01. The Commission must be notified of any such change **in writing within ten (10) days of the change**.
- C. A Sports Gaming Supplier License expires three (3) years after the date of licensure. Renewal of a Sports Gaming Supplier License may be requested by submitting a completed Sports Gaming Supplier License Application no less than **one hundred eighty (180) days** before expiration of the License.
- D. A Sports Gaming Supplier License issued by the Commission is a revocable privilege and is not transferable. No licensee has a vested right in or under a Sports Gaming Supplier License issued by the Commission.

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SECTION I. IDENTIFYING INFORMATION

1. Application Type

Check the appropriate box:

Initial Sports Gaming Supplier Renewal Sports Gaming Supplier

Are you applying for a provisional license? Yes No

Does the Applicant hold an **active** license in good standing issued by the Ohio Lottery Commission? Yes No

If yes, provide the following information:

License Type:	License Number:	Issue/Effective Date:	Expiration Date:
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Does the Applicant hold an **active** license in good standing issued by the Ohio Casino Control Commission? Yes No

If yes, provide the following information:

License Type:	License Number:	Issue/Effective Date:	Expiration Date:
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2. Business Information

Business Name <i>(including any prior business names used in the past ten years)</i>		Place of Incorporation or Formation	
DBA <i>(including any prior DBA(s) used in the past ten years)</i>		Date of Incorporation or Formation	
Business Registered as: (e.g., sole proprietorship, partnership, limited partnership, LTD, LLC, corporation, professional association)		Is the Applicant a nonprofit corporation or organization? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Ohio Secretary of State Registration Number	FEIN	Website	Business Phone Number
Business Address <i>(provide the address where the Applicant primarily conducts business)</i>			
Street Address	City, State	Zip	County
Mailing Address <i>(if different than the Applicant's business address)</i>			
Street Address	City, State	Zip	County

3. Primary Contact

Identify the person to be contacted in reference to this form.

First Name	Last Name	Title
Telephone Number	Other Phone Number (if available)	E-mail Address
Street Address	City, State	Zip Country

[Remainder of this page intentionally left blank.]

4. Ownership and Control

Labeled as Appendix 4, provide the following related to the ultimate ownership and control of the Applicant and its business operations:

- A. Organizational chart(s) for the Applicant illustrating its ownership, board management (if applicable), officers, and executive-level operations;
- B. For each Principal of the Applicant identified in the organizational charts, provide the name, title/position/partner type, and date of birth;
- C. Identify every natural person or entity having a direct or indirect interest of five (5) percent or more in the Applicant. Provide name, title/association, contact information, and percentage of ownership interest in applicable business entity and effective ownership interest in the Applicant (as applicable); and
- D. Identify every natural person or entity having a direct or indirect interest of five (5) percent or more in the Applicant. Provide name, title/association, contact information, and percentage of voting interest in applicable business entity and effective voting interest in Applicant (as applicable), including a description of the nature/type of such voting interest and rights/obligations regarding each.

*Note: The Commission may grant a sports gaming supplier license only once it has determined that each person in control of the Applicant has met the requirements of Ohio Adm.Code 3775-4-01(C).

Stop here if Applicant holds an active license issued by the Ohio Lottery Commission or Ohio Casino Control Commission and proceed to the Authorization, Certification, and Waiver (page 8).

Proceed to Section II. Background Information if Applicant does not hold an active license issued by the Ohio Lottery Commission or Ohio Casino Control Commission.

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SECTION II. BACKGROUND INFORMATION

5. Gambling or Gaming-Related Licenses, Permits, Registrations, and Certifications

Has the Applicant ever applied for or been issued a sports gaming, gambling, or gaming-related permit, license, registration, certification, qualification, or other authorization in any jurisdiction (including Ohio)? You must answer "Yes" to this question if your application was returned to you for any reason or you withdrew your application from consideration. If additional fields are needed, please attach as Appendix 5.		<input type="checkbox"/> Yes
		<input type="checkbox"/> No
Type of License or Other Authorization	Date of Application	
License or Other Authorization Number	Date of Disposition	
Name on License or Other Authorization	Issuing Authority or Agency	
Current Status of License or Other Authorization		

6. Description of Sports Gaming Business

Labeled as Appendix 6, describe the sports gaming business presently being conducted and the sports gaming business intended to be conducted by the Applicant or any person that controls it (or any other entities conducting business on its behalf) and the general development of such business during the past five (5) years. The description must also include information on matters such as the following:

- A. The principal products produced and services rendered by the Applicant and its parent companies, intermediaries, subsidiaries, affiliates or any other business entities conducting business on its behalf, the principal markets for said products or services and the methods of distribution;
- B. A list identifying by name, address, and telephone number all distributors, suppliers and/or vendors that provide or supply to the Applicant any sports gaming-related service, good or equipment, including parts, components, hardware, or software systems integral to the sports gaming-related purpose of the good produced or service rendered by the Applicant;
- C. A detailed account and list of the sports-gaming-related equipment, devices, goods, or services being provided or intended to be provided under the license for which the sports gaming license Application is being made;
- D. A list of the top three (3) value (\$) contracts or agreements that the Applicant has entered into in the past twelve (12) months; and
- E. A list of all addresses at which the Applicant currently conducts business.

7. Organizational Documents

Labeled as Appendix 7, submit copies of certified documents of all of the following, including any amendments or proposed amendments thereto, that apply to the Applicant: articles of incorporation, articles of organization, bylaws, charter, constitution, partnership agreement and operating agreement.

8. Fines, Penalties, and Settlements (Governmental Units or Regulatory Authorities)

Has the Applicant ever been fined by, penalized by, or entered into any settlement agreement with any gambling-related governmental unit or regulatory authority (including Ohio) or with any government unit or regulatory authority regarding gambling-related matters? If yes, provide the required information below for each instance. If additional fields are needed, please attach as Appendix 8.		<input type="checkbox"/> Yes
		<input type="checkbox"/> No
Type of Fine, Penalty, or Settlement	Date of Fine, Penalty, or Settlement	
Name of Regulatory Authority and Location (city, state)		
Resolution Fine, Penalty, or Settlement		

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9. Criminal History

Has the Applicant ever been arrested for, charged with, indicted for, or convicted of any offense ¹ in any jurisdiction (including Ohio)? DO NOT include charges or convictions that have been expunged or officially sealed by a court. DO include all arrests that were not charged, all dismissed charges, or all charges that resulted in diversion or intervention or in lieu, whether you believe them to be correct or not. If yes, provide the required information for each instance. If additional fields are needed, please attach as Appendix 9.		<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Offense	Date of Offense	City, State (<i>where offense occurred</i>)
Disposition of Offense	Name of Investigating, Arresting, Charging, or Prosecuting Agency	Location of Investigating, Arresting, Charging, or Prosecuting Agency (<i>city, state</i>)

10. Civil Litigation History

Within the past 10 years, has the Applicant been named as a defendant in any civil legal action involving gaming; gambling; fraud; misrepresentation; falsification; conversion; racketeering; antitrust, trade regulation, or securities violations; breach of fiduciary duty; or any other civil legal action in any jurisdiction involving the Applicant's business practices in any amount greater than \$250,000? If yes, provide the required information below for each instance. If additional fields are needed, please attach as Appendix 10.		<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Legal Action	Other Parties to Action	
Name of Court	Location of Court (<i>city, state</i>)	
Disposition or Current Status		

11. Liens, Judgments, or Garnishments

Within the past 10 years, has the Applicant had any financial liens or debt-related judgments filed against them? (Include state and federal tax liens, defaulted loans, garnishments, attachments, etc.) If yes, provide the required information for each instance below. If additional fields are needed, please attach as Appendix 11.		<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Case/Matter	Name of Court	
Location of Court (<i>city, state</i>)	Type of Obligation/Judgment	
Disposition/Current Status of Lawsuit/Obligation		

12. Bankruptcies

Has the Applicant ever filed, or had filed against it, a petition for any type of bankruptcy or insolvency, or been adjudicated bankrupt or insolvent or been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt? If yes, provide the required information for each instance. If additional fields are needed, please attach as Appendix 12.		<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of Bankruptcy/Matter	Date Filed	
Name of Court	Location of Court (<i>city, state</i>)	

¹ **Offense** includes all felonies, misdemeanors, municipal ordinance violations, military court martial, and violations of probation or other criminal court order. "Offense" does NOT include traffic offenses or violations, except for those related to driving under the influence of drugs or alcohol, driving with a revoked or suspended license, or leaving the scene of an accident. Failure to disclose any offense is a serious infraction and may result in legal action, including administrative proceedings related to the denial, suspension, or revocation of a license or the imposition of fines or penalties.

13. Financial History

Labeled as Appendix 13, attach proof of the Applicant's financial responsibility, stability, and integrity. This proof must include:

- A. Copies of audited financial statements and accompanying independent auditors reports for each of the Applicant's (and its parent corporation or parent entity, as applicable) two most recently completed fiscal years. If the Applicant is a joint venture or a group of affiliated companies, the information requested shall be provided with respect to each member or affiliate of such joint venture or group, as applicable;
- B. A copy of the last quarterly unaudited financial statement for the Applicant and its parent corporation or parent entity, as applicable;
- C. A detailed outline of any debt issued or executed by the Applicant (and its parent corporation or entity) within the last twelve (12) months;
- D. A detailed outline of all projected expenses, including employment and capital improvement costs over the next three (3) years;
- E. A copy of the Applicant's insurance certificate as evidence that the Applicant has purchased and will maintain adequate liability and casualty insurance;
- F. A copy of the Applicant's most recent IRS tax transcript as evidence that the Applicant is in compliance with all federal tax filings and related requirements;
- G. A statement confirming that the Applicant is in compliance with all state of Ohio (and local) tax filings and related requirements; and
- H. If the Applicant is a subsidiary of a parent corporation or entity, a statement by the parent attesting to the Applicant's financial responsibility, stability, and integrity.

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AUTHORIZATION, CERTIFICATION, AND WAIVER

1. I declare under penalty of law that I am the Applicant or the duly authorized representative thereof. I am authorized to provide all the information requested in the Sports Gaming Supplier License Application (“Application”) or separately by the Commission, and I am authorized to complete, execute, and sign this form, including all certifications, authorizations, and waivers.
2. I certify under penalty of law that the information and material I have provided to be included in this Application is true, correct, and complete. I understand any false or misleading answers, misrepresentations, or omissions is ground for denial of a license or administrative action by the Commission.
3. I authorize the Ohio Casino Control Commission (“Commission”) to conduct a full investigation into the Applicant’s background and activities and to make inquiries and request and obtain information or records from any third parties and use such information or records obtained as, in the sole discretion of the Commission or its agent(s), is necessary to such investigation. This authorization includes any information or records that would otherwise be protected from public disclosure or dissemination.
4. I agree that the Commission may conduct investigations, which may include, without limitation, credit reviews; inspections of Applicant’s premises; copies of and inspections of records, including law-enforcement, governmental-entity, third-party, and Applicant-owned or -prepared records; and inquiries, questions, or interrogatories submitted to Applicant or any third party.
5. I release the Commission and its agent(s) from any civil or criminal liability whatsoever for seeking any requested information and for using and evaluating such information as it relates to the Applicant’s Application or License. Moreover, I discharge, save, and hold harmless the Commission and its agent(s) from any and all claims and damages, as well as any responsibility or liability of every nature and kind, resulting from or arising out of the Commission’s investigation. In addition, I release any third party and its agents and employees, both individually and collectively, from any and all liability or damages of whatever kind, which may result because of compliance with this Authorization, Certification, and Waiver.
6. I have read and understand the Application, including the Instructions, the Questions, and the Authorization, Certification, and Waiver, and agree to observe and be bound by them. I acknowledge that the Commission is not obligated to issue a license and can suspend or revoke the license in accordance with the law. Each holder of a license agrees to be bound by and observe the terms and conditions on the Application and comply with the applicable provisions of R.C. Chapters [3772](#) and [3775](#) and the rules adopted thereunder.
7. By printing and signing my name below, I, as the Applicant or on behalf thereof, confirm that I understand, agree to, and will comply with all requirements stated above.

Printed Name of Applicant or Authorized Representative	Title
Signature	Date Signed