

As Introduced

**127th General Assembly
Regular Session
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S. B. No. 313

Senator Amstutz

Cosponsors: Senators Carey, Buehrer

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A B I L L

To amend section 3770.03 of the Revised Code to 1
prohibit the State Lottery Commission from 2
establishing a lottery game that has more than two 3
announcements of prize winners per day or that is 4
played on a slot machine, including a game of 5
keno. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3770.03 of the Revised Code be 7
amended to read as follows: 8

Sec. 3770.03. (A) The state lottery commission shall 9
promulgate rules under which a statewide lottery may be conducted. 10
The rules shall be promulgated pursuant to Chapter 119. of the 11
Revised Code, except that instant game rules shall be promulgated 12
pursuant to section 111.15 of the Revised Code but are not subject 13
to division (D) of that section. Subjects covered in these rules 14
shall include, but need not be limited to, the following: 15

- (1) The type of lottery to be conducted; 16
- (2) The prices of tickets in the lottery; 17
- (3) The number, nature, and value of prize awards, the manner 18

and frequency of prize drawings, and the manner in which prizes 19
shall be awarded to holders of winning tickets. 20

No rule shall authorize a lottery game that has more than two 21
announcements of prize winners per day or is played on a slot 22
machine as defined in section 2915.01 of the Revised Code, 23
including, but not limited to, a game of keno. 24

(B) The commission shall promulgate rules, in addition to 25
those described in division (A) of this section, pursuant to 26
Chapter 119. of the Revised Code under which a statewide lottery 27
and statewide joint lottery games may be conducted. Subjects 28
covered in these rules shall include, but not be limited to, the 29
following: 30

(1) The locations at which lottery tickets may be sold and 31
the manner in which they are to be sold. These rules may authorize 32
the sale of lottery tickets by commission personnel or other 33
licensed individuals from traveling show wagons at the state fair, 34
and at any other expositions the director of the commission 35
considers acceptable. These rules shall prohibit commission 36
personnel or other licensed individuals from soliciting from an 37
exposition the right to sell lottery tickets at that exposition, 38
but shall allow commission personnel or other licensed individuals 39
to sell lottery tickets at an exposition if the exposition 40
requests commission personnel or licensed individuals to do so. 41
These rules may also address the accessibility of sales agent 42
locations to commission products in accordance with the "Americans 43
with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C.A. 12101 44
et seq. 45

(2) The manner in which lottery sales revenues are to be 46
collected, including authorization for the director to impose 47
penalties for failure by lottery sales agents to transfer revenues 48
to the commission in a timely manner; 49

(3) The amount of compensation to be paid licensed lottery sales agents; 50
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(4) The substantive criteria for the licensing of lottery sales agents consistent with section 3770.05 of the Revised Code, and procedures for revoking or suspending their licenses consistent with Chapter 119. of the Revised Code. If circumstances, such as the nonpayment of funds owed by a lottery sales agent, or other circumstances related to the public safety, convenience, or trust, require immediate action, the director may suspend a license without affording an opportunity for a prior hearing under section 119.07 of the Revised Code. 52
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(5) Special game rules to implement any agreements signed by the governor that the director enters into with other lottery jurisdictions under division (J) of section 3770.02 of the Revised Code to conduct statewide joint lottery games. The rules shall require that the entire net proceeds of those games that remain, after associated operating expenses, prize disbursements, lottery sales agent bonuses, commissions, and reimbursements, and any other expenses necessary to comply with the agreements or the rules are deducted from the gross proceeds of those games, be transferred to the lottery profits education fund under division (B) of section 3770.06 of the Revised Code. 61
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(C) The commission may promulgate rules, in addition to those described in divisions (A) and (B) of this section, that establish standards governing the display of advertising and celebrity images on lottery tickets and on other items that are used in the conduct of, or to promote, the statewide lottery and statewide joint lottery games. Any revenue derived from the sale of advertising displayed on lottery tickets and on those other items shall be considered, for purposes of section 3770.06 of the Revised Code, to be related proceeds in connection with the statewide lottery or gross proceeds from statewide joint lottery 72
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games, as applicable. 82

(D)(1) The commission shall meet with the director at least 83
once each month and shall convene other meetings at the request of 84
the chairperson or any five of the members. No action taken by the 85
commission shall be binding unless at least five of the members 86
present vote in favor of the action. A written record shall be 87
made of the proceedings of each meeting and shall be transmitted 88
forthwith to the governor, the president of the senate, the senate 89
minority leader, the speaker of the house of representatives, and 90
the house minority leader. 91

(2) The director shall present to the commission a report 92
each month, showing the total revenues, prize disbursements, and 93
operating expenses of the state lottery for the preceding month. 94
As soon as practicable after the end of each fiscal year, the 95
commission shall prepare and transmit to the governor and the 96
general assembly a report of lottery revenues, prize 97
disbursements, and operating expenses for the preceding fiscal 98
year and any recommendations for legislation considered necessary 99
by the commission. 100

Section 2. That existing section 3770.03 of the Revised Code 101
is hereby repealed. 102