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Sports Betting in Ohio

Client Bulletins

Authors: [Holly F. Gross](#), [Cheryl Burchard](#)

Legal sports gaming is coming to Ohio on January 1, 2023. Thanks to the law signed by Governor Mike DeWine (House Bill 29) last year, which legalized and set forth the regulatory framework for sports gaming, Ohioans will be able to place wagers on collegiate and professional sporting events in person or online. The new law allows for the Ohio Casino Control Commission (“OCCC”) to issue 25 initial online “Type A” licenses, as well as up to 40 “Type B” retail licenses. H.B. 29 also allows the Ohio Lottery Commission to issue “Type C” licenses that will permit Ohioans to place certain types of wagers at lottery terminals located within certain liquor permit establishments throughout the state, such as bars and restaurants. Ohio will be joining more than half the country where sports betting is legal and will soon be one of the largest wagering markets in the United States.

Many of the details of H.B. 29 have been addressed in a previous publication. You can read about the passage of the new law by [clicking here](#).

The OCCC has spent much of this year preparing for the agreed-upon Universal Start Date of January 1, 2023. According to the new law, the Commission must follow certain statutory requirements, including filing the governing rules with the state’s Common Sense Initiative and the Joint Committee on Agency Rule Review, as well as considering the rules at public Commission meetings. The OCCC has gone through a series of rulemaking, with the last batch making its way through the final stages now.

Applications to obtain a sports gaming license in time for the Universal Start Date were due by August 15, 2022, but will be accepted on a rolling basis as licensure availability allows. A list of current sports gaming proprietor, services provider and supplier applicants and licensees is available [here](#). Notably, some proprietors have not yet selected their operating partner. Provisional licenses have already been awarded to many of the state’s professional sports organizations, racinos, and casinos, which were given statutory preference. The OCCC is working hard to review and approve licenses before the new year and requires at least 60 days from complete submission to review and approve the myriad compliance documents including House Rules, testing, and more.

Ohio’s licensure process closely follows other states, with its own nuances. The Ohio General Assembly and OCCC put in place strong “suitability” factors that will be considered in determining whether a license will be granted, which include a rigorous review of applicants to ensure they meet financial integrity requirements, have a physical presence in Ohio, economic impact in the state, and offer other contributions to the state, such as tourism. It is hard to turn on the TV, radio, or social media today without hearing or seeing an advertisement about sports gaming in Ohio. Some sites are already running “pre-live” promotions ahead of the Jan. 1, 2023, launch, which is permissible under Ohio law.

This burgeoning new industry in Ohio will soon be up and running and is expected to generate an estimated \$50 million annually in new tax revenue.

The Benesch Government Relations team has experience navigating the competitive Ohio license application process, and can advise on the ongoing statutory and regulatory compliance required by license holders and the entities they do business with.

Holly F. Gross at hgross@beneschlaw.com or 614.223.9392.

Cheryl Burchard at cburchard@beneschlaw.com or 614.223.9315.

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Holly F. Gross
Senior Managing Associate
Government Relations
T. 614.223.9392
hgross@beneschlaw.com



Cheryl Burchard
Government Relations Assistant
Government Relations
T. 614.223.9315
cburchard@beneschlaw.com