



# Ohio Legislative Service Commission

## Bill Analysis

Dennis M. Papp

### **S.B. 265\***

131st General Assembly  
(As Reported by S. Criminal Justice)

**Sens.** Seitz, Williams, Eklund, Schiavoni, Manning

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## **BILL SUMMARY**

- Specifies that the criminal penalty related to casino operators and employees participating in casino gaming other than as part of operation or employment applies at their casino facility or an affiliated casino facility.

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## **CONTENT AND OPERATION**

The Casino Control Law<sup>1</sup> provides that a person who purposely or knowingly engages in any of five specified types of prohibited conduct commits a first degree misdemeanor on the first offense and a fifth degree felony for a subsequent offense. One of the specified types of prohibited conduct is being a casino operator or employee and participating in casino gaming other than as part of operation or employment. The bill modifies this specified type of prohibited conduct by stating that it applies with respect to casino gaming at the casino facility at which the casino operator or employee has an interest or is employed or at an affiliated casino facility in Ohio. Thus, under the bill, the specified type of prohibited conduct is being a casino operator or employee and purposely or knowingly participating in casino gaming at the casino facility at which the casino operator or employee has an interest or is employed or at an affiliated casino facility in Ohio other than as part of operation or employment.<sup>2</sup>

As used in the bill's provision, "casino facility" means the Cleveland, Franklin County, Cincinnati, and Toledo casino facilities defined in Section 6(C)(9) of Article XV,

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\* This analysis was prepared before the report of the Senate Criminal Justice Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

<sup>1</sup> R.C. Chapter 3772., not in the bill except for R.C. 3772.99.

<sup>2</sup> R.C. 3772.99(D)(5).

Ohio Constitution. "Casino gaming" means any type of slot machine or table game wagering, using money, casino credit, or any representative of value, authorized in Indiana, Michigan, Pennsylvania, and West Virginia as of January 1, 2009, and includes subsequently authorized slot machines and table gaming but does not include specified bingo or horse racing authorized under Ohio law.<sup>3</sup>

The other four specified types of conduct prohibited under the provision, unchanged by the bill, are: making a false statement on an application submitted under the Casino Control Law; permitting a person under 21 to make a wager at a casino facility; aiding, inducing, or causing a person under 21 who is not an employee of the casino gaming operation to enter or attempt to enter a casino facility; and entering or attempting to enter a casino facility while under 21, unless the person enters a permitted designated area.<sup>4</sup>

Separate provisions of the Casino Control Law, unchanged by the bill, prohibit many other types of specified conduct and provide felony penalties for violations of the prohibitions.<sup>5</sup> And under that Law, unchanged by the bill:<sup>6</sup> (1) if a licensed casino operator, management company, holding company, gaming-related vendor, or key employee violates any prohibition under that Law, including the prohibition amended by the bill, or engages in a fraudulent act, the Casino Control Commission may suspend or revoke the license and may suspend, revoke, or restrict the casino gaming operations of a casino operator, require the removal of a management company, key employee, or discontinuance of services from a gaming-related vendor, or impose both of those sanctions, and (2) a person who is convicted of a felony violation of any prohibition under that Law, including the prohibition amended by the bill, may be barred for life from entering a casino facility by the Commission.

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## HISTORY

ACTION	DATE
Introduced	01-27-16
Reported, S. Criminal Justice	---

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<sup>3</sup> R.C. 3772.01, not in the bill.

<sup>4</sup> R.C. 3772.99(D)(1) to (4).

<sup>5</sup> R.C. 3772.99(E), (G), and (H).

<sup>6</sup> R.C. 3772.99(B) and (I).

