



SG OPERATING STANDARDS MARKETING AND ADVERTISING EFFECTIVE DATE: JULY 1, 2022

OVERVIEW

A Lottery Sports Gaming Proprietor (LSGP) may engage in advertising, marketing, and promotions in support of sports gaming subject to the rules and regulations of the Lottery. The Lottery may prohibit the LSGP from engaging in certain advertising and promotions deemed inappropriate. The LSGP agrees to be bound by the decision of the Lottery related to advertising and promotions. The Lottery may initiate advertising and promotional programs related to lottery sports gaming and may provide promotional materials to the LSGP.

REFERENCE DOCUMENTS

Ohio Administrative Code [3770:3-5-03](#) House Rules

Ohio Administrative Code [3770:3-7-03](#) Advertising

Ohio Administrative Code [3775-16-08](#) Advertising

Ohio Revised Code 3770.23-25

North American Association of State and Provincial Lotteries (NASPL) Guidelines for Responsible Gaming Advertising Guidelines, [Updated August 2019](#)

[American Gaming Association Responsible Marketing Code for Sports Wagering](#)

ADVERTISING PROGRAMS

The LSGP advertising program shall be created with consideration of the NASPL Guidelines and the American Gaming Association Responsible Marketing Code for Sports Wagering. In general, advertising programs must not target children or include models, actors, or influencers that appear under the age of twenty-one (21); contain political, religious, or ideological content; contain material that disparages any person or group of people; contain material that would be offensive to an ordinary reasonable person; contain controversial or inflammatory messages; or imply that sports gaming is risk free.

As part of the annual business plan, the LSGP will present an annual advertising plan which shall describe at a high level the main components of the advertising program. These components should include at a minimum, purchased media including digital campaigns and estimated monthly spend. For digital marketing campaigns, the submission shall include the following:

- Estimated costs.
- Media to be used (e.g., social, radio, etc).
- Story boards/script and talking points for influencers, radio, television, etc.
- Ensure that RG message is clearly displayed throughout.

The LSGP shall also present any digital materials for approval. The LSGP shall agree that social media content will be presented in accordance with the standards above. The Lottery retains the right to monitor this content.

Advertising and marketing materials must contain responsible gaming messaging as approved by the Lottery. At a minimum, responsible gaming messaging must be clearly legible and include:



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- Reference to the age limit for play and the Ohio Problem Gambling Help Line: 1-800-589-9966.
- For digital media (commercials, social media videos/posts, etc.) static messaging must be prevalent throughout and include, at minimum, the age requirement for players and the Ohio Help Line #.
- Educational messages (i.e., RG brochures), shall mention the ORG website: <https://org.ohio.gov> and include all necessary language for RG. Additionally, information about the Time Out Ohio program may be used on material as well. Please see [The Ohio Voluntary Exclusion Program \(timeoutohio.com\)](http://timeoutohio.com) for more information.

In general, the LSGP shall not do any of the following when considering marketing/advertising materials:

- Must not advertise or promote on college or university campuses located in the state of Ohio except for generally available advertising, including television, radio, and digital advertising.
- Depict any individual under the age of twenty-one (21), except live footage or images of athletes in sporting events on which sports gaming is permitted. Any individual under the age of twenty-one (21) may not be depicted in any way that may be construed as the underage individual participating in or endorsing sports gaming.
- Target individuals under the age of twenty-one (21), other individuals who are ineligible to participate in sports gaming, individuals with gambling problems, or other vulnerable individuals.
- Obscure any material fact.
- Be false, deceptive, or misleading.
- Promote irresponsible or excessive participation in sports gaming, or suggest that social, financial, or personal success is guaranteed by engaging in sports gaming.

Materials must be submitted to the Lottery for approval at least five (5) business days prior to distribution. The Lottery may authorize campaigns within a shorter time frames at its discretion. A violation of any portion of this standard may constitute the recommendation by the Lottery to the Ohio Casino Control Commission (OCCC) for suspension, cancelation or revocation of the LSGP license to sell lottery sports gaming products.

HOST RECRUITMENT

The LSGP shall present host recruitment brochures, training materials, and in-venue advertising materials (signage, merchandise, brochures) for approval in advance of release. The Lottery will provide a written response including recommendations or formal approval within five (5) business days of receiving materials. No materials shall be released without receiving formal approval from the Lottery.

All host recruitment is subject to limitations on cadence of delivery. Host recruitment email blasts, shall also contain an “opt-out” or “unsubscribe” option, so as hosts may limit their interaction with recruitment efforts by LSGP’s. The LSGP must remove any host who requests to be removed from any and all correspondence they do not wish to receive. The LSGP is responsible for ensuring that any host who requests removal, either through written communication, via “unsubscribe” options, or any other method, is immediately removed from future communications.



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The Lottery shall be added to the mailing list for all type C host recruitment and customer facing physical and electronic mailing. All electronic mail should be sent to sportsgaming@lottery.ohio.gov and physical mail addressed to 615 W. Superior Avenue, Cleveland, OH 44135. If telemarketing will be used to communicate promotional efforts, include mention of that method in rules submissions.

AFFILIATE MARKETING/ADVERTISING

An LSGP may contract with an affiliate marketer to assist with type C operations. Third party vendors must be identified to the Lottery in advance of formalizing an operational relationship. Affiliate marketers are not required to be licensed by the OCCO, but proposed affiliate marketers must be submitted to the Lottery for review including the following:

- Company name and location
- Principal owners/operators
- Description of duties to be performed by the entity
- Locations where services will be performed

An LSGP shall present all host recruitment brochures, training materials, and in venue advertising materials (signage, merchandise, brochures) created and/or utilized by an affiliate marketer for approval in advance of release. The Lottery will provide a written response including recommendations or formal approval within five (5) business days of receiving materials. No materials created by an affiliate marketer shall be released without receiving formal approval from the Lottery. Affiliate marketers must adhere to the same standards as the LSGP and the LSGP is responsible for material disseminated on their behalf.

The Lottery shall be added to the mailing list for all type C host recruitment physical and electronic mailing sent by affiliate marketers on the LSGP's behalf.

The LSGP may also pursue appropriate third-party advertising or marketing affiliate partnerships. This can include shared print or media advertising, potential cross promotion of products, and in-venue advertising including kiosk screens. All partnership agreements and subsequent materials must be provided to the Lottery in advance for approval.

All entities (LSGP's, hosts, affiliate marketers/advertisers, etc.) are required to adhere to the guidelines outlined in the aforementioned Advertising Programs and below in the Customer Facing Materials section of this operating standard. The Lottery reserves the right to prohibit or require the termination of a contract agreement with an affiliate marketer based on information disclosed or undesirable, prohibited, or inappropriate conduct in the field.

CUSTOMER FACING MATERIALS

The LSGP shall also develop customer facing materials subject to the approval of the Lottery. Customer facing materials should adhere to the Advertising Program section requirements when applicable. These materials can include the following:



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- House rules which describe the method for placing wagers, how wagers are calculated, and the process for submitting complaints.
- Betslip, ticket, and receipt language including responsible gaming messaging.
- Prize payment paperwork.
- Website content including FAQ.
- Updates to kiosk and app screens.
 - Kiosk branding must clearly disclose the identity of the LSGP.
- Responsible gambling materials/referral information.
- Customer service messaging developed for call center/email responses/chat functionality.
- Prohibited and excluded player information.

Materials will be submitted for approval at least five (5) business days prior to production and distribution. Updates to components must be submitted in the same manner.

Please note: During initial implementation, the timeline for submission of certain plans and materials may be requested at a different cadence to ensure timely review and approval before launch.

MARKETING EVENTS

An LSGP may offer marketing events at host locations as approved by the Lottery. These events can be run solely by the LSGP or in conjunction with a type C host location and include player giveaways related to merchandise, vouchers, etc. An overview of the event must be submitted to the Lottery at least ten (10) business days prior to the event for review and approval. The overview should include:

- Date and time of event.
- Host location(s) for event.
- General description of the event.
- Eligibility rules for participating in the event, if applicable.
- Breakdown of any prizes/giveaways being offered, if applicable.

In the event vouchers are issued for players in a giveaway, the voucher numbers must be logged and submitted to the Lottery immediately following the event. The Lottery will require LSGP staff to be on-site for at least the first event at each host location to ensure compliance.

CONTACT

For further information contact: sportsgaming@lottery.ohio.gov