



SPORTS GAMING 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 Director may prohibit the LSGP from engaging in certain advertising and promotions deemed inappropriate. The LSGP agrees to be bound by the decision of the Director relating to advertising and promotions. The Director may initiate advertising and promotional programs relating 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 Revised 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, Approved March 2018 www.naspl.org
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. Advertising programs must not target children; 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.

The LSGP shall 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.

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 LSGP shall present digital materials (website / betslip app) for approval. The LSGP shall agree that social media content will be presented in accordance with the standards as 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 include:

- Problem Gambling messaging with referral to the Ohio help line: (800) 589-9966
- 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 timeoutohio.com for more information.

Materials will be submitted for approval at least 30 days prior to distribution. The Lottery may authorize campaigns within shorter time frames at its discretion. A violation of any portion of this standard may constitute the recommendation by the Lottery to the OCCC for suspension, cancellation or revocation of the Proprietor license to sell lottery sports gaming products.

LSGP shall not do any of the following:

- An LSGP 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, except live footage or images of athletes in sporting events on which sports gaming is permitted. Any individual under the age of twenty-one 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, 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.



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HOST RECRUITMENT THROUGH AFFILIATE MARKETERS

LSGPs may contract with an affiliate marketer to assist with type C host recruitment. 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 Lottery, 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

LSGPs 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 dissemination on their behalf.

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.

For clarification, all entities (LSGPs, hosts, affiliate marketers, etc.) are required to adhere to the guidelines outlined in the aforementioned Advertising Programs and below in the Customer Facing Materials section of these Operating Standards.

The Lottery shall be added to the mailing list for all type C host recruitment physical and electronic mailing.

CUSTOMER FACING MATERIALS

The LSGP shall develop customer facing materials subject to the approval of the Lottery. These materials should include the following:

- Acquisition materials for potential players / how to play items
- 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



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- Updates to kiosk and app screens
 - Responsible Gaming 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 30 days prior to production and distribution. Updates to components must be submitted in the same manner.

The submission shall include the following:

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

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

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.

CONTACT

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