

budget and management. At the end of each fiscal year, the 57457
commission shall prepare and submit an annual report to the office 57458
of internal audit for the office's review and approval, specifying 57459
the internal audit work completed by the end of that fiscal year 57460
and reporting on compliance with the annual internal audit plan. 57461
Any preliminary or final report of an internal audit's findings 57462
and recommendations, which is produced by the office of internal 57463
audit of the state lottery commission, and all work papers of the 57464
internal audit, is confidential and not a public record under 57465
section 149.43 of the Revised Code until the final report of an 57466
internal audit's findings and recommendations has been submitted 57467
to the director of the commission and the chairperson of the 57468
commission, or the chairperson's commission member designee. 57469

(F) Whenever, in the judgment of the director of budget and 57470
management, an amount of net state lottery proceeds is necessary 57471
to be applied to the payment of debt service on obligations, all 57472
as defined in sections 151.01 and 151.03 of the Revised Code, the 57473
director shall transfer that amount directly from the state 57474
lottery fund or from the lottery profits education fund to the 57475
bond service fund defined in those sections. The provisions of 57476
this division are subject to any prior pledges or obligation of 57477
those amounts to the payment of bond service charges as defined in 57478
division (C) of section 3318.21 of the Revised Code, as referred 57479
to in division (B) of this section. 57480

Sec. 3770.21. (A) As used in this section: 57481

(1) "Video lottery terminal" means any electronic device 57482
approved by the state lottery commission that provides immediate 57483
prize determinations for participants on an electronic display 57484
that is located at a facility owned by a holder of a permit as 57485
defined in rule 3769-1-05 of the Administrative Code. 57486

(2) "Video lottery terminal promotional gaming credit" means 57487

a video lottery terminal game credit, discount, or other similar 57488
item issued to a patron to enable the placement of, or increase 57489
in, a wager at a video lottery terminal. 57490

(3) "Video lottery terminal income" means credits played, 57491
minus approved video lottery terminal promotional gaming credits, 57492
minus video lottery prize awards. 57493

(B) The state lottery commission shall include, in 57494
conjunction with the state racing commission, in any rules adopted 57495
concerning video lottery terminals, the level of minimum 57496
investments that must be made by video lottery terminal sales 57497
agents in the buildings, fixtures, equipment, facilities-related 57498
preparation, and grounds at the facilities, including temporary 57499
facilities, in which the terminals will be located, along with any 57500
standards and timetables for such investments. 57501

(C) A licensed video lottery sales agent may provide video 57502
lottery terminal promotional gaming credits to patrons for video 57503
lottery terminal gaming. Video lottery terminal promotional gaming 57504
credits shall be subject to approval by the director of the state 57505
lottery commission. 57506

(D) Video lottery terminal sales agents shall develop 57507
internal guidelines and controls for the purpose of giving 57508
minority business enterprises the ability to compete for the 57509
awarding of contracts to provide goods and services to those sales 57510
agents. As used in this division, "minority business enterprise" 57511
has the meaning defined in section 122.71 of the Revised Code. 57512

(E) No license or excise tax or fee not in effect on the 57513
effective date of this section shall be assessed upon or collected 57514
from a video lottery terminal sales agent by any county, township, 57515
municipal corporation, school district, or other political 57516
subdivision of the state that has authority to assess or collect a 57517
tax or fee by reason of the video lottery terminal related conduct 57518

authorized by section 3770.03 of the Revised Code. This division 57519
does not prohibit the imposition of taxes under Chapter 718. or 57520
3769. of the Revised Code. 57521

(F)(1) Any action asserting that this section or section 57522
3770.03 of the Revised Code or any portion of those sections or 57523
any rule adopted under those sections violates any provision of 57524
the Ohio Constitution shall be brought in the court of common 57525
pleas of Franklin county within ninety days after the effective 57526
date of the amendment of this section by Am. Sub. H.B. 386 of the 57527
129th general assembly, June 11, 2012, or within ninety days after 57528
the effective day of any rule, as applicable. 57529

(2) Any claim asserting that any action taken by the governor 57530
or the lottery commission pursuant to those sections violates any 57531
provision of the Ohio Constitution or any provision of the Revised 57532
Code shall be brought in the court of common pleas of Franklin 57533
county within sixty days after the action is taken. 57534

(3) Divisions (F)(1) and (2) of this section do not apply to 57535
any claim within the original jurisdiction of the supreme court or 57536
a court of appeals under Article IV of the Ohio Constitution. 57537

(G) The court of common pleas of Franklin county shall give 57538
any claim filed under division (F)(1) or (2) of this section 57539
priority over all other civil cases before the court, irrespective 57540
of position on the court's calendar, and shall make a 57541
determination on the claim expeditiously. A court of appeals shall 57542
give any appeal from a final order issued in a case brought 57543
pursuant to division (F) of this section priority over all other 57544
civil cases before the court, irrespective of position on the 57545
court's calendar, and shall make a determination on the appeal 57546
expeditiously. 57547

(H) The state lottery commission shall adopt rules to provide 57548
video poker games on all video lottery terminals capable of 57549

operating the game. 57550

Sec. 3770.22. (A) Any information concerning the following 57551
that is submitted, collected, or gathered as part of an 57552
application to the state lottery commission for a video lottery 57553
related license under this chapter is confidential and not subject 57554
to disclosure by a state agency or political subdivision as a 57555
public record under section 149.43 of the Revised Code: 57556

(1) A dependent of an applicant; 57557

(2) The social security number, passport number, or federal 57558
tax identification number of an applicant or the spouse of an 57559
applicant; 57560

(3) The home address and telephone number of an applicant or 57561
the spouse or dependent of an applicant; 57562

(4) An applicant's birth certificate; 57563

(5) The driver's license number of an applicant or the 57564
applicant's spouse; 57565

(6) The name or address of a previous spouse of the 57566
applicant; 57567

(7) The date of birth of the applicant and the spouse of an 57568
applicant; 57569

(8) The place of birth of the applicant and the spouse of an 57570
applicant; 57571

(9) The personal financial information and records of an 57572
applicant or of an employee or the spouse or dependent of an 57573
applicant, including tax returns and information, and records of 57574
criminal proceedings; 57575

(10) Any information concerning a victim of domestic 57576
violence, sexual assault, or stalking; 57577

(11) The electronic mail address of the spouse or family 57578