



October 20, 2026

Dear Sports Gaming and Fantasy Contest Licensees and Applicants:

The Ohio Casino Control Commission (“Commission”) is deeply concerned by reports that certain Commission licensees¹ continue to facilitate, support, or otherwise provide services to entities offering sports event contracts to persons located in Ohio without a sports gaming license. These services reportedly include, among other things, liquidity provision and market making, integrity monitoring, and equipment, data security, and other technology-related services.

The Commission’s position on unlicensed sports events contracts has been clear and consistent since early 2025: offering sports event contracts to persons located in Ohio constitutes sports gaming under Ohio law and may not be conducted without appropriate licensure from the Commission.

On September 25, 2026, the United States Court of Appeals for the Sixth Circuit issued its decision in *KalshiEX LLC v. Schuler*, No. 26-3196/5235, 2026 U.S. App. LEXIS 29542 *; 2026 FED App. 0272p (6th Cir.) **; 2026 LX 549511; __ F.4th __; 2026 WL 2884087 (6th Cir. Sep. 25, 2026). The court held that sports event contracts are not “swaps” subject to the Commodity Futures Trading Commission’s exclusive jurisdiction and further held that, even if they were swaps, the Commodity Exchange Act would not preempt Ohio’s sports gaming laws. The court affirmed the state of Ohio’s authority to enforce its sports gaming laws.

Following that decision, on October 2, 2026, the Commission issued cease-and-desist notices to 10 operators that appeared to be offering sports event contracts in Ohio. The notices demand that these companies cease offering or facilitating the offering of sports event contracts in Ohio no later than October 16, 2026. That deadline has passed, and the Commission intends to take action against those companies who failed to comply with the terms of the cease and desist notice.

The continued facilitation or support of illegal gambling activity, or the affiliation with illegal operators, by a Commission licensee raises significant suitability concerns. As you are aware, maintaining suitability is a continuing obligation of licensure. A licensee’s decision to provide services to, partner with², or otherwise support an entity engaged in unlicensed sports gaming in Ohio reflects on the licensee’s character, integrity, honesty, and reputation. Such conduct also undermines public confidence in Ohio’s regulated sports gaming and fantasy contest markets. These concerns are heightened where prediction-market operators permit participation by

¹ For purposes of this guidance, the term “licensee” encompasses all fantasy contest operators; sports gaming proprietors, management services providers, mobile management services providers, suppliers, and their key employees; certified independent integrity monitors; certified independent testing laboratories; and any applicant for any of these licenses or certifications.

² Licensees that are Futures Commission Merchants or Introductory Brokers that do not allow its customers located in Ohio to directly or indirectly access sports event contracts listed on Designated Contract Markets will be in compliance with this advisement.

individuals between the ages of 18 and 20, do not participate in Ohio's responsible gaming and voluntary exclusion programs, or offer wagering opportunities that fall outside Ohio's approved wagering catalog and regulatory framework.

Accordingly, the Commission expects any licensee currently facilitating, supporting, or providing services of any kind to an entity offering sports event contracts to persons located in Ohio without a sports gaming license to immediately cease such activities. Activities covered by this notice include, but are not limited to, the provision of market-making services, liquidity services, integrity monitoring, data services, platform services, technology services, security services, and any other product or service that facilitates or supports the offering of sports event contracts to persons located in Ohio.

Each licensee must notify the Commission of its compliance with this notice at legal@casinocontrol.ohio.gov no later than October 30, 2026. Licensees must preserve records sufficient to substantiate their responses and compliance with this notice. If a licensee fails to comply with this notice or continues facilitating, supporting, or providing services of any kind to an entity offering sports event contracts to persons located in Ohio without a sports gaming license, the Commission will reopen suitability investigations concerning the licensee or applicant and any owners, officers, directors, key employees, or other persons associated with the conduct. Such conduct may result in denial, nonrenewal, suspension, revocation, or other administrative action, as applicable and authorized by law.³

The Commission expects all licensees to take appropriate steps to ensure that their business relationships and operations remain consistent with Ohio law and the obligations associated with licensure, certification, or application.

If you have questions regarding this notice, please contact the Commission's Legal Division at legal@casinocontrol.ohio.gov.

Sincerely,


Andromeda Morrison
Interim Executive Director

³ R.C. 3775.02(F); 3775.03(C), 3775.041(B); 3774.02(C), 3774.07; Ohio Adm.Code 3772-74-06(J), 3775-4-01(E), 3775-4-02(C), 3775-4-05(C), 3775-4-06(C), 3775-4-08(C), and 3775-14-02.