

**As Reported by the Committee of Conference  
(CORRECTED VERSION)**

**124th General Assembly  
Regular Session  
2001-2002**

**Am. Sub. H. B. No. 512**

**REPRESENTATIVES Husted, Faber, Setzer, Collier, Latta, Williams, Webster,  
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Kearns, Young, Cirelli, Willamowski  
SENATOR Jacobson**

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**A B I L L**

To amend sections 109.32, 173.121, 1531.01, 1711.09,	1
2915.01, 2915.02, 2915.04, 2915.05, 2915.07 to	2
2915.10, 2915.12, and 3763.01 and to enact sections	3
2915.081, 2915.082, 2915.091, 2915.092, 2915.093,	4
2915.094, 2915.095, 2915.101, and 2915.13 of the	5
Revised Code to define "bingo" to include bingo,	6
instant bingo, punch boards, and raffles; to	7
increase the license fee to two hundred dollars for	8
a license that authorizes charitable organizations	9
to conduct bingo, to create a separate license that	10
authorizes charitable organizations to conduct	11
instant bingo with a license fee based on all money	12
or assets received from instant bingo, and to allow	13
the Attorney General to set the license fee for new	14
regular bingo licensees; to require the licensing	15
of manufacturers and distributors of bingo	16
supplies; to regulate the conduct of instant bingo	17
and raffles; and to make other changes in the	18
Charitable Gambling Law.	19

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 109.32, 173.121, 1531.01, 1711.09, 20  
2915.01, 2915.02, 2915.04, 2915.05, 2915.07, 2915.08, 2915.09, 21  
2915.10, 2915.12, and 3763.01 be amended and sections 2915.081, 22  
2915.082, 2915.091, 2915.092, 2915.093, 2915.094. 2915.095, 23  
2915.101, and 2915.13 of the Revised Code be enacted to read as 24  
follows: 25

**Sec. 109.32.** All annual filing fees obtained by the attorney 26  
general pursuant to section 109.31 of the Revised Code, all 27  
receipts obtained from the sale of the charitable law foundations 28  
directory, ~~and~~ all registration fees received by the attorney 29  
general, bond forfeitures, awards of costs and attorney's fees, 30  
and civil penalties assessed under Chapter 1716. of the Revised 31  
Code, and all license fees received by the attorney general under 32  
section 2915.08, 2915.081, or 2915.082 of the Revised Code shall 33  
be paid into the state treasury to the credit of the charitable 34  
law fund. The charitable law fund shall be used insofar as its 35  
moneys are available for the expenses of the charitable law 36  
section of the office of the attorney general, except that all 37  
annual license fees that are received by the attorney general 38  
under section 2915.08, 2915.081, or 2915.082 of the Revised Code 39  
and that are credited to the fund shall be used by the attorney 40  
general, or any law enforcement agency in cooperation with the 41  
attorney general, for the purposes specified in division (G) of 42  
section 2915.10 of the Revised Code and to administer and enforce 43  
Chapter 2915. of the Revised Code. The expenses of the charitable 44  
law section in excess of moneys available in the charitable law 45  
fund shall be paid out of regular appropriations to the office of 46  
the attorney general. 47

**Sec. 173.121.** (A) As used in this section, "bingo," "bingo game operator," and "participant" have the same meanings as in section 2915.01 of the Revised Code. 48  
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(B) Notwithstanding sections 2915.07 to ~~2915.12~~ 2915.13 of the Revised Code, a multipurpose senior center may conduct bingo games described in division (S)(1) of section 2915.01 of the Revised Code, but only if it complies with all of the following requirements: 51  
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(1) All bingo games are conducted only on the premises of the facility~~+~~. 56  
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(2) All participants are sixty years of age or older~~+~~. 58

(3) All bingo game operators are sixty years of age or older and receive no compensation for serving as operators~~+~~. 59  
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(4) No participant is charged an admission fee~~,~~ and no participant is charged more than twenty-five cents to purchase a bingo card or ~~a card, sheet, or other device described in division (S)(2)(a) of section 2915.01 of the Revised Code~~~~+~~. 61  
62  
63  
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(5) All proceeds from games are used only for any of the following: 65  
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(a) To pay winners monetary or nonmonetary prizes; 67

(b) To provide refreshments; 68

(c) To defray any costs directly related to conducting the games; 69  
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(d) To defray costs of services the facility provides in accordance with section 173.12 of the Revised Code. 71  
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**Sec. 1531.01.** As used in this chapter and Chapter 1533. of the Revised Code: 73  
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(A) "Person" means individual, company, partnership, 75

corporation, municipal corporation, association, or any 76  
combination of individuals, or any employee, agent, or officer 77  
thereof. 78

(B) "Resident" means any individual who has resided in this 79  
state for not less than six months next preceding the date of 80  
making application for a license. 81

(C) "Nonresident" means any individual who does not qualify 82  
as a resident. 83

(D) "Division rule" or "rule" means any rule adopted by the 84  
chief of the division of wildlife under section 1531.10 of the 85  
Revised Code unless the context indicates otherwise. 86

(E) "Closed season" means that period of time during which 87  
the taking of wild animals protected by this chapter and Chapter 88  
1533. of the Revised Code is prohibited. 89

(F) "Open season" means that period of time during which the 90  
taking of wild animals protected by this chapter and Chapter 1533. 91  
of the Revised Code is permitted. 92

(G) "Take or taking" includes pursuing, shooting, hunting, 93  
killing, trapping, angling, fishing with a trotline, or netting 94  
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 95  
wild bird, or wild quadruped, and any lesser act, such as 96  
wounding, or placing, setting, drawing, or using any other device 97  
for killing or capturing any wild animal, whether it results in 98  
killing or capturing the animal or not. "Take or taking" includes 99  
every attempt to kill or capture and every act of assistance to 100  
any other person in killing or capturing or attempting to kill or 101  
capture a wild animal. 102

(H) "Possession" means both actual and constructive 103  
possession and any control of things referred to. 104

(I) "Bag limit" means the number, measurement, or weight of 105

any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.	106 107
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	108 109
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	110 111
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part of the wild animal with the same effect as it applies to the whole.	112 113 114 115
(M) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	116 117 118 119 120 121 122 123
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.	124 125 126
(O) "Fish" means a cold-blooded vertebrate having fins.	127
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	128 129
(Q) "Wild birds" includes game birds and nongame birds.	130
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	131 132
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge,	133 134 135

woodcocks, black-breasted plover, golden plover, Wilson's snipe or 136  
jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, 137  
duck, geese, brant, and crows. 138

(T) "Nongame birds" includes all other wild birds not 139  
included and defined as game birds. 140

(U) "Wild quadrupeds" includes game quadrupeds and 141  
fur-bearing animals. 142

(V) "Game quadrupeds" includes cottontail rabbits, gray 143  
squirrels, black squirrels, fox squirrels, red squirrels, flying 144  
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, 145  
wild boar, and black bears. 146

(W) "Fur-bearing animals" includes minks, weasels, raccoons, 147  
skunks, opossums, muskrats, fox, beavers, badgers, otters, 148  
coyotes, and bobcats. 149

(X) "Wild animals" includes mollusks, crustaceans, aquatic 150  
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, 151  
and all other wild mammals, but does not include domestic deer. 152

(Y) "Hunting" means pursuing, shooting, killing, following 153  
after or on the trail of, lying in wait for, shooting at, or 154  
wounding wild birds or wild quadrupeds while employing any device 155  
commonly used to kill or wound wild birds or wild quadrupeds 156  
whether or not the acts result in killing or wounding. "Hunting" 157  
includes every attempt to kill or wound and every act of 158  
assistance to any other person in killing or wounding or 159  
attempting to kill or wound wild birds or wild quadrupeds. 160

(Z) "Trapping" means securing or attempting to secure 161  
possession of a wild bird or wild quadruped by means of setting, 162  
placing, drawing, or using any device that is designed to close 163  
upon, hold fast, confine, or otherwise capture a wild bird or wild 164  
quadruped whether or not the means results in capture. "Trapping" 165  
includes every act of assistance to any other person in capturing 166

wild birds or wild quadrupeds by means of the device whether or not the means results in capture.	167 168
(AA) "Muskrat spear" means any device used in spearing muskrats.	169 170
(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland in Lake Erie.	171 172 173
(CC) "Island" means a rock or land elevation above the waters of Lake Erie having an area of five or more acres above water.	174 175 176
(DD) "Reef" means an elevation of rock, either broken or in place, or gravel shown by the latest United States chart to be above the common level of the surrounding bottom of the lake, other than the rock bottom, or in place forming the base or foundation rock of an island or mainland and sloping from the shore of it. "Reef" also means all elevations shown by that chart to be above the common level of the sloping base or foundation rock of an island or mainland, whether running from the shore of an island or parallel with the contour of the shore of an island or in any other way and whether formed by rock, broken or in place, or from gravel.	177 178 179 180 181 182 183 184 185 186 187
(EE) "Fur farm" means any area used exclusively for raising fur-bearing animals or in addition thereto used for hunting game, the boundaries of which are plainly marked as such.	188 189 190
(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.	191 192 193
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.	194 195
(HH) "Commercial fish" means those species of fish permitted	196

to be taken, possessed, bought, or sold unless otherwise 197  
restricted by the Revised Code or division rule and are alewife 198  
(*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), bowfin 199  
(*Amia calva*), burbot (*Lota lota*), carp (*Cyprinus carpio*), 200  
smallmouth buffalo (*Ictiobus bubalus*), bigmouth buffalo (*Ictiobus*  
*cyprinellus*), black bullhead (*Ictalurus melas*), yellow bullhead 202  
(*Ictalurus natalis*), brown bullhead (*Ictalurus nebulosus*), channel 203  
catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictis*  
*olivaris*), whitefish (*Coregonus* sp.), cisco (*Coregonus* sp.), 205  
freshwater drum or sheepshead (*Aplodinotus grunniens*), gar 206  
(*Lepisosteus* sp.), gizzard shad (*Dorosoma cepedianum*), goldfish 207  
(*Carassius auratus*), lake trout (*Salvelinus namaycush*), mooneye 208  
(*Hiodon tergisus*), quillback (*Carpiodes cyprinus*), smelt 209  
(*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus*  
sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other 211  
than buffalo and quillback (*Carpiodes* sp., *Catostomus* sp., 212  
*Hypentelium* sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone*  
*chrysops*), white perch (*Roccus americanus*), and yellow perch 214  
(*Perca flavescens*). When the common name of a fish is used in this 215  
chapter or Chapter 1533. of the Revised Code, it refers to the 216  
fish designated by the scientific name in this definition. 217

(II) "Fishing" means taking or attempting to take fish by any 218  
method, and all other acts such as placing, setting, drawing, or 219  
using any device commonly used to take fish whether resulting in a 220  
taking or not. 221

(JJ) "Fillet" means the pieces of flesh taken or cut from 222  
both sides of a fish, joined to form one piece of flesh. 223

(KK) "Part fillet" means a piece of flesh taken or cut from 224  
one side of a fish. 225

(LL) "Round" when used in describing fish means with head and 226  
tail intact. 227



(MM) "Migrate" means the transit or movement of fish to or 228  
from one place to another as a result of natural forces or 229  
instinct and includes, but is not limited to, movement of fish 230  
induced or caused by changes in the water flow. 231

(NN) "Spreader bar" means a brail or rigid bar placed across 232  
the entire width of the back, at the top and bottom of the cars in 233  
all trap, crib, and fyke nets for the purpose of keeping the 234  
meshes hanging squarely while the nets are fishing. 235

(OO) "Fishing guide" means any person who, for consideration 236  
or hire, operates a boat, rents, leases, or otherwise furnishes 237  
angling devices, ice fishing shanties or shelters of any kind, or 238  
other fishing equipment, and accompanies, guides, directs, or 239  
assists any other person in order for the other person to engage 240  
in fishing. 241

(PP) "Net" means fishing devices with meshes composed of 242  
twine or synthetic material and includes, but is not limited to, 243  
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 244  
seines, except minnow seines and minnow dip nets. 245

(QQ) "Commercial fishing gear" means seines, trap nets, fyke 246  
nets, dip nets, carp aprons, trotlines, other similar gear, and 247  
any boat used in conjunction with that gear, but does not include 248  
gill nets. 249

(RR) "Native wildlife" means any species of the animal 250  
kingdom indigenous to this state. 251

(SS) "Gill net" means a single section of fabric or netting 252  
seamed to a float line at the top and a lead line at the bottom, 253  
which is designed to entangle fish in the net openings as they 254  
swim into it. 255

(TT) "Tag fishing tournament" means a contest in which a 256  
participant pays a fee, or gives other valuable consideration, for 257  
a chance to win a prize by virtue of catching a tagged or 258

otherwise specifically marked fish within a limited period of 259  
time, ~~but does not include a scheme of chance conducted under~~ 260  
~~division (D)(1) of section 2915.02 of the Revised Code.~~ 261

(UU) "Tenant" means an individual who resides on land for 262  
which the individual pays rent and whose annual income is 263  
primarily derived from agricultural production conducted on that 264  
land, as "agricultural production" is defined in section 929.01 of 265  
the Revised Code. 266

(VV) "Nonnative wildlife" means any wild animal not 267  
indigenous to this state, but does not include domestic deer. 268

(WW) "Reptiles" includes common musk turtle (*sternotherus* 269  
*odoratus*), common snapping turtle (*Chelydra serpentina* 270  
*serpentina*), spotted turtle (*Clemmys guttata*), eastern box turtle 271  
(*Terrapene carolina carolina*), Blanding's turtle (*Emydoidea* 272  
*blandingii*), common map turtle (*Graptemys geographica*), ouachita 273  
map turtle (*Graptemys pseudogeographica ouachitensis*), midland 274  
painted turtle (*Chrysemys picta marginata*), red-eared slider 275  
(*Trachemys scripta elegans*), eastern spiny softshell turtle 276  
(*Apalone spinifera spinifera*), midland smooth softshell turtle 277  
(*Apalone mutica mutica*), northern fence lizard (*Sceloporus* 278  
*undulatus hyacinthinus*), ground skink (*Scincella lateralis*), 279  
five-lined skink (*Eumeces fasciatus*), broadhead skink (*Eumeces* 280  
*laticeps*), northern coal skink (*Eumeces anthracinus anthracinus*), 281  
European wall lizard (*Podarcis muralis*), queen snake (*Regina* 282  
*septemvittata*), Kirtland's snake (*Clonophis kirtlandii*), northern 283  
water snake (*Nerodia sipedon sipedon*), Lake Erie watersnake 284  
(*Nerodia sipedon insularum*), copperbelly water snake (*Nerodia* 285  
*erythrogaster neglecta*), northern brown snake (*Storeria dekayi* 286  
*dekayi*), midland brown snake (*Storeria dekayi wrightorum*), 287  
northern redbelly snake (*Storeria occipitomaculata* 288  
*occipitomaculata*), eastern garter snake (*Thamnophis sirtalis* 289  
*sirtalis*), eastern plains garter snake (*Thamnophis radix radix*), 290

Butler's garter snake ( <i>Thamnophis butleri</i> ), shorthead garter snake	291
( <i>Thamnophis brachystoma</i> ), eastern ribbon snake ( <i>Thamnophis</i>	292
<i>sauritus sauritus</i> ), northern ribbon snake ( <i>Thamnophis sauritus</i>	293
<i>septentrionalis</i> ), eastern hognose snake ( <i>Heterodon platirhinos</i> ),	294
eastern smooth earth snake ( <i>Virginia valeriae valeriae</i> ), northern	295
ringneck snake ( <i>Diadophis punctatus edwardsii</i> ), midwest worm snake	296
( <i>Carphophis amoenus helenae</i> ), eastern worm snake ( <i>Carphophis</i>	297
<i>amoenus amoenus</i> ), black racer ( <i>Coluber constrictor constrictor</i> ),	298
blue racer ( <i>Coluber constrictor foxii</i> ), rough green snake	299
( <i>Opheodrys aestivus</i> ), smooth green snake ( <i>Opheodrys vernalis</i>	300
<i>vernalis</i> ), black rat snake ( <i>Elaphe obsoleta obsoleta</i> ), eastern fox	301
snake ( <i>Elaphe vulpina gloydi</i> ), black kingsnake ( <i>Lampropeltis</i>	302
<i>getula nigra</i> ), eastern milk snake ( <i>Lampropeltis triangulum</i>	303
<i>triangulum</i> ), northern copperhead ( <i>Agkistrodon contortrix mokasen</i> ),	304
eastern massasauga ( <i>Sistrurus catenatus catenatus</i> ), and timber	305
rattlesnake ( <i>Crotalus horridus horridus</i> ).	306
(XX) "Amphibians" includes eastern hellbender ( <i>Cryptobranchus</i>	307
<i>alleganiensis alleganiensis</i> ), mudpuppy ( <i>Necturus maculosus</i>	308
<i>maculosus</i> ), red-spotted newt ( <i>Notophthalmus viridescens</i>	309
<i>viridescens</i> ), Jefferson salamander ( <i>Ambystoma jeffersonianum</i> ),	310
spotted salamander ( <i>Ambystoma maculatum</i> ), blue-spotted salamander	311
( <i>Ambystoma laterale</i> ), smallmouth salamander ( <i>Ambystoma texanum</i> ),	312
streamside salamander ( <i>Ambystoma barbouri</i> ), marbled salamander	313
( <i>Ambystoma opacum</i> ), eastern tiger salamander ( <i>Ambystoma tigrinum</i>	314
<i>tigrinum</i> ), northern dusky salamander ( <i>Desmognathus fuscus fuscus</i> ),	315
mountain dusky salamander ( <i>Desmognathus ochrophaeus</i> ), redback	316
salamander ( <i>Plethodon cinereus</i> ), ravine salamander ( <i>Plethodon</i>	317
<i>richmondi</i> ), northern slimy salamander ( <i>Plethodon glutinosus</i> ),	318
Wehrle's salamander ( <i>Plethodon wehrlei</i> ), four-toed salamander	319
( <i>Hemidactylium scutatum</i> ), Kentucky spring salamander ( <i>Gyrinophilus</i>	320
<i>porphyriticus duryi</i> ), northern spring salamander ( <i>Gyrinophilus</i>	321
<i>porphyriticus porphyriticus</i> ), mud salamander ( <i>Pseudotriton</i>	322

montanus), northern red salamander (*Pseudotriton ruber ruber*), 323  
green salamander (*Aneides aeneus*), northern two-lined salamander 324  
(*Eurycea bislineata*), longtail salamander (*Eurycea longicauda* 325  
*longicauda*), cave salamander (*Eurycea lucifuga*), southern 326  
two-lined salamander (*Eurycea cirrigera*), Fowler's toad (*Bufo* 327  
*woodhousii fowleri*), American toad (*Bufo americanus*), eastern 328  
spadefoot (*Scaphiopus holbrookii*), Blanchard's cricket frog (*Acris* 329  
*crepitans blanchardi*), northern spring peeper (*Pseudacris crucifer* 330  
*crucifer*), gray treefrog (*Hyla versicolor*), Cope's gray treefrog 331  
(*Hyla chrysoscelis*), western chorus frog (*Pseudacris triseriata* 332  
*triseriata*), mountain chorus frog (*Pseudacris brachyphona*), 333  
bullfrog (*Rana catesbeiana*), green frog (*Rana clamitans melanota*), 334  
northern leopard frog (*Rana pipiens*), pickerel frog (*Rana* 335  
*palustris*), southern leopard frog (*Rana utricularia*), and wood 336  
frog (*Rana sylvatica*). 337

(YY) "Deer" means white-tailed deer (*Odocoileus* 338  
*virginianus*). 339

(ZZ) "Domestic deer" means nonnative deer that have been 340  
legally acquired or their offspring and that are held in private 341  
ownership for primarily agricultural purposes. 342

(AAA) "Migratory game bird" includes waterfowl (*Anatidae*); 343  
doves (*Columbidae*); cranes (*Gruidae*); rails, coots, and gallinules 344  
(*Rallidae*); and woodcock and snipe (*Scolopacidae*). 345

**Sec. 1711.09.** Except as otherwise provided in this section, 346  
county agricultural societies, independent agricultural societies, 347  
and the Ohio expositions commission shall not permit during any 348  
fair, or for one week before or three days ~~thereafter~~ after any 349  
fair, any dealing in spirituous liquors, or at any time allow or 350  
tolerate immoral shows, lottery devices, games of chance, or 351  
gambling of any kind, including pool selling and paddle wheels, 352  
anywhere on the fairground; and shall permit no person at any time 353

to operate any side show, amusement, game, or device, or offer for 354  
sale any novelty by auction or solicitation, on ~~such~~ the 355  
fairground who has not first obtained from the director of 356  
agriculture ~~such a license as is provided by~~ under section 1711.11 357  
of the Revised Code. This section does not prohibit the sale of 358  
lottery tickets by the state lottery commission pursuant to 359  
Chapter 3770. of the Revised Code at the state fairground during 360  
the state fair. In addition, a county or independent agricultural 361  
society may permit, at any time except during a fair or for one 362  
week before or three days ~~thereafter~~ after a fair, a charitable 363  
organization to conduct in accordance with Chapter 2915. of the 364  
Revised Code games of chance, ~~schemes of chance~~, or bingo on the 365  
fairground of a county with a population of ~~500,000~~ five hundred 366  
thousand or less. A charitable organization may lease all or part 367  
of the fairground from the agricultural society for that purpose. 368

Any sales of intoxicating liquor transacted on the fairground 369  
shall be subject to Chapters 4301., 4303., and 4399. of the 370  
Revised Code. 371

Any agricultural society that permits the sale of 372  
intoxicating liquor on its fairground shall apply any proceeds 373  
gained by ~~such~~ the society from the permit holder and from 374  
activities coincident to the sale of intoxicating liquor first to 375  
pay the cost of insurance on all buildings on ~~such~~ the fairground, 376  
and then for any other purpose authorized by law. 377

**Sec. 2915.01.** As used in this chapter: 378

(A) "Bookmaking" means the business of receiving or paying 379  
off bets. 380

(B) "Bet" means the hazarding of anything of value upon the 381  
result of an event, undertaking, or contingency, but does not 382  
include a bona fide business risk. 383

(C) "Scheme of chance" means a slot machine, lottery, numbers 384

game, pool, or other scheme in which a participant gives a 385  
valuable consideration for a chance to win a prize, but does not 386  
include bingo. 387

(D) "Game of chance" means poker, craps, roulette, ~~a slot~~ 388  
~~machine, a punch board,~~ or other game in which a player gives 389  
anything of value in the hope of gain, the outcome of which is 390  
determined largely ~~or wholly~~ by chance, but does not include 391  
bingo. 392

(E) "~~Scheme or game~~ Game of chance conducted for profit" 393  
means any ~~scheme or~~ game of chance designed to produce income for 394  
the person who conducts or operates the ~~scheme or~~ game of chance, 395  
but does not include ~~a charitable~~ bingo game. 396

(F) "Gambling device" means any of the following: 397

(1) A book, totalizer, or other equipment for recording bets; 398  
399

(2) A ticket, token, or other device representing a chance, 400  
share, or interest in a scheme of chance, ~~except a charitable~~ 401  
~~bingo game,~~ or evidencing a bet; 402

(3) A deck of cards, dice, gaming table, roulette wheel, slot 403  
machine, ~~punch board,~~ or other apparatus designed for use in 404  
connection with a game of chance; 405

(4) Any equipment, device, apparatus, or paraphernalia 406  
specially designed for gambling purposes; 407

(5) Bingo supplies sold or otherwise provided, or used, in 408  
violation of this chapter. 409

(G) "Gambling offense" means any of the following: 410

(1) A violation of section 2915.02, 2915.03, 2915.04, 411  
2915.05, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 412  
2915.092, 2915.10, or 2915.11 of the Revised Code; 413

(2) A violation of an existing or former municipal ordinance 414

or law of this or any other state or the United States  
substantially equivalent to any section listed in division (G)(1)  
of this section or a violation of section 2915.06 of the Revised  
Code as it existed prior to ~~the effective date of this amendment~~  
July 1, 1996;

(3) An offense under an existing or former municipal  
ordinance or law of this or any other state or the United States,  
of which gambling is an element;

(4) A conspiracy or attempt to commit, or complicity in  
committing, any offense under division (G)(1), (2), or (3) of this  
section.

(H) ~~"Charitable~~ Except as otherwise provided in this chapter,  
"charitable organization" means any tax exempt religious,  
educational, veteran's, fraternal, service, nonprofit medical,  
volunteer rescue service, volunteer ~~fire fighter's~~ firefighter's,  
senior citizen's, youth athletic, amateur athletic, or youth  
athletic park organization. An organization is tax exempt if the  
organization is, and has received from the internal revenue  
service a determination letter that currently is in effect stating  
that the organization is, exempt from federal income taxation  
under subsection 501(a) and described in subsection 501(c)(3),  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal  
Revenue Code. To qualify as a charitable organization, an  
organization, except a volunteer rescue service or volunteer fire  
fighter's organization, shall have been in continuous existence as  
such in this state for a period of two years immediately preceding  
either the making of an application for a bingo license under  
section 2915.08 of the Revised Code or the conducting of any  
scheme of chance or game of chance as provided in division (C)of  
section 2915.02 of the Revised Code. A charitable organization  
that is exempt from federal income taxation under subsection  
501(a) and described in subsection 501(c)(3) of the Internal

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Revenue Code and that is created by a veteran's organization or a 447  
fraternal organization does not have to have been in continuous 448  
existence as such in this state for a period of two years 449  
immediately preceding either the making of an application for a 450  
bingo license under section 2915.08 of the Revised Code or the 451  
conducting of any scheme of chance or game of chance as provided 452  
in division (D) of section 2915.02 of the Revised Code. 453

(I) "Religious organization" means any church, body of 454  
communicants, or group that is not organized or operated for 455  
profit and that gathers in common membership for regular worship 456  
and religious observances. 457

(J) "Educational organization" means any organization within 458  
this state that is not organized for profit, the ~~primary~~ exclusive 459  
purpose of which is to educate and develop the capabilities of 460  
individuals through instruction, and that operates or contributes 461  
to the support of a school, academy, college, or university. 462

(K) "Veteran's organization" means any individual post of a 463  
national veteran's association or an auxiliary unit of any 464  
individual post of a national veteran's association, which post or 465  
auxiliary unit has been incorporated as a nonprofit corporation 466  
for at least two years and has received a letter from the state 467  
headquarters of the national veteran's association indicating that 468  
the individual post or auxiliary unit is in good standing with the 469  
national veteran's association. As used in this division, 470  
"national veteran's association" means any veteran's association 471  
that has been in continuous existence as such for a period of at 472  
least ~~ten~~ five years and either is incorporated by an act of the 473  
United States congress or has a national dues-paying membership of 474  
at least five thousand persons. 475

(L) "Volunteer ~~fire fighter's~~ firefighter's organization" 476  
means any organization of volunteer ~~fire fighters~~ firefighters, as 477  
defined in section 146.01 of the Revised Code, that is organized 478



and operated exclusively to provide financial support for a 479  
volunteer fire department or a volunteer fire company and that is 480  
recognized or ratified by a county, municipal corporation, or 481  
township. 482

(M) "Fraternal organization" means any society, order, or 483  
association within this state, except a college or high school 484  
fraternity, that is not organized for profit, that is a branch, 485  
lodge, or chapter of a national or state organization, that exists 486  
exclusively for the common business or sodality of its members, 487  
and that has been in continuous existence in this state for a 488  
period of five years. 489

(N) "Volunteer rescue service organization" means any 490  
organization of volunteers organized to function as an emergency 491  
medical service organization, as defined in section 4765.01 of the 492  
Revised Code. 493

(O) "Service organization" means any organization, not 494  
organized for profit, that is organized and operated exclusively 495  
to provide, or to contribute to the support of organizations or 496  
institutions organized and operated exclusively to provide, 497  
medical and therapeutic services for persons who are crippled, 498  
born with birth defects, or have any other mental or physical 499  
defect or those organized and operated exclusively to protect, or 500  
to contribute to the support of organizations or institutions 501  
organized and operated exclusively to protect, animals from 502  
inhumane treatment. 503

(P) "Nonprofit medical organization" means any organization 504  
that has been incorporated as a nonprofit corporation for at least 505  
five years and that has continuously operated and will be operated 506  
exclusively to provide, or to contribute to the support of 507  
organizations or institutions organized and operated exclusively 508  
to provide, hospital, medical, research, or therapeutic services 509  
for the public. 510

(Q) "Senior citizen's organization" means any private organization, not organized for profit, that is organized and operated exclusively to provide recreational or social services for persons who are fifty-five years of age or older and that is described and qualified under subsection 501(c)(3) of the Internal Revenue Code.

(R) "Charitable bingo game" means any bingo game described in division (S)(1) or (2) of this section that is conducted by a charitable organization that has obtained a ~~bingo~~ license pursuant to section 2915.08 of the Revised Code and the proceeds of which are used for a charitable purpose.

(S) "Bingo" means either of the following:

(1) A game with all of the following characteristics:

(a) The participants use bingo cards or sheets, including paper formats and electronic representation or image formats, that are divided into twenty-five spaces arranged in five horizontal and five vertical rows of spaces, with each space, except the central space, being designated by a combination of a letter and a number and with the central space being designated as a free space.

(b) The participants cover the spaces on the bingo cards or sheets that correspond to combinations of letters and numbers that are announced by a bingo game operator.

(c) A bingo game operator announces combinations of letters and numbers that appear on objects that a bingo game operator selects by chance, either manually or mechanically, from a receptacle that contains seventy-five objects at the beginning of each game, each object marked by a different combination of a letter and a number that corresponds to one of the seventy-five possible combinations of a letter and a number that can appear on the bingo cards or sheets.

(d) The winner of the bingo game includes any participant who properly announces during the interval between the announcements of letters and numbers as described in division (S)(1)(c) of this section, that a predetermined and preannounced pattern of spaces has been covered on a bingo card or sheet being used by the participant.

~~(2) Any scheme or game other than a game as defined in division (S)(1) of this section with the following characteristics:~~

~~(a) The participants use cards, sheets, or other devices that are divided into spaces arranged in horizontal, vertical, or diagonal rows of spaces, with each space, except free spaces, being designated by a single letter, number, or symbol; by a combination of letters, numbers, or symbols; by a combination of a letter and a number, a letter and a symbol, or a number and a symbol; or by any combination of letters, numbers, and symbols, with some or none of the spaces being designated as a free, complimentary, or similar space.~~

~~(b) The participants cover the spaces on the cards, sheets, or devices that correspond to letters, numbers, symbols, or combinations of such that are announced by a bingo game operator or otherwise transmitted to the participants.~~

~~(c) A bingo game operator announces, or otherwise transmits to the participants, letters, numbers, symbols, or any combination of such as set forth in division (S)(2)(a) of this section that appear on objects that a bingo game operator selects by chance that correspond to one of the possible letters, numbers, symbols, or combinations of such that can appear on the bingo cards, sheets, or devices.~~

~~(d) The winner of the bingo game is any participant who properly announces that a predetermined and preannounced pattern~~

of spaces has been covered on a card, sheet, or device being used 573  
by the participant Instant bingo, punch boards, and raffles. 574

(T) "Conduct" means to back, promote, organize, manage, carry 575  
on, sponsor, or prepare for the operation of ~~a scheme~~ bingo or a 576  
game of chance ~~but does not include any act performed by a bingo~~ 577  
~~game operator.~~ 578

(U) "Bingo game operator" means any person, except security 579  
personnel, who performs work or labor at the site of a bingo ~~game,~~ 580  
including, but not limited to, collecting money from participants, 581  
handing out bingo cards or sheets or objects to cover spaces on 582  
~~the~~ bingo cards or sheets, selecting from a receptacle the objects 583  
that contain the combination of letters and numbers that appear on 584  
~~the~~ bingo cards or sheets, calling out the combinations of letters 585  
and numbers, distributing prizes ~~to the winner of the bingo game,~~ 586  
selling or redeeming instant bingo tickets or cards, supervising 587  
the operation of a punch board, selling raffle tickets, selecting 588  
raffle tickets from a receptacle and announcing the winning 589  
numbers in a raffle, and preparing, selling, and serving food or 590  
beverages. 591

(V) "Participant" means any person who plays bingo ~~by~~ 592  
~~covering the spaces on a bingo card that correspond to~~ 593  
~~combinations of letters and numbers that are announced by a bingo~~ 594  
~~game operator.~~ 595

(W) "Bingo session" means a period, ~~not~~ that includes both of 596  
the following: 597

(1) Not to exceed five continuous hours, during which a 598  
person conducts for the conduct of one or more bingo games 599  
described in division (S)(1) of this section, instant bingo, and 600  
seal cards; 601

(2) A period for the conduct of instant bingo and seal cards 602  
for not more than two hours before and not more than two hours 603

after the period described in division (W)(1) of this section. 604

(X) "Gross receipts" means all money or assets, including 605  
admission fees, that a person receives from a bingo session that 606  
~~the person conducts~~ without the deduction of any amounts for 607  
prizes paid out ~~during the session~~ or for the expenses of 608  
conducting the bingo session. "Gross receipts" does not include 609  
any money directly taken in from the sale of food or beverages by 610  
a charitable organization conducting a bingo session, or by a bona 611  
fide auxiliary unit or society of a charitable organization, ~~at a~~ 612  
~~bingo session conducted by the charitable organization~~ conducting 613  
bingo, provided all of the following apply: 614

(1) The auxiliary unit or society has been in existence as a 615  
bona fide auxiliary unit or society of the charitable organization 616  
for at least two years prior to ~~the~~ conducting bingo session. 617

(2) The person who purchases the food or beverage receives 618  
nothing of value except the food or beverage and items customarily 619  
received with the purchase of that food or beverage. 620

(3) The food and beverages are sold at customary and 621  
reasonable prices. 622

~~(4) No person preparing, selling, or serving the food or 623  
beverages at the site of the bingo game receives directly or 624  
indirectly any form of compensation for the preparation, sale, or 625  
service of the food or beverages. 626~~

(Y) "Security personnel" includes any person who either is a 627  
sheriff, deputy sheriff, marshal, deputy marshal, township 628  
constable, or member of an organized police department of a 629  
municipal corporation or has successfully completed a peace 630  
officer's training course pursuant to sections 109.71 to 109.79 of 631  
the Revised Code and who is hired to provide security for the 632  
premises on which a bingo game is conducted. 633

(Z) ~~To use gross receipts for a charitable~~ Charitable 634

purpose" means that the ~~proceeds net profit~~ of the bingo game ~~are,~~ 635  
~~other than instant bingo, is~~ used by, or ~~is~~ given, donated, or 636  
otherwise transferred to, any ~~of the following:~~ 637

(1) ~~Any~~ organization that is described in subsection 638  
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 639  
and is either a governmental unit or an organization that is tax 640  
exempt under subsection 501(a) and described in subsection 641  
501(c)(3) of the Internal Revenue Code; ~~that the proceeds of the~~ 642  
~~bingo game are used by, or given, donated, or otherwise~~ 643  
~~transferred to a~~ 644

(2) ~~A~~ veteran's organization, ~~as defined in division (K) of~~ 645  
~~this section,~~ that is a post, chapter, or organization of war 646  
veterans, or an auxiliary unit or society of, or a trust or 647  
foundation for, any such post, chapter, or organization organized 648  
in the United States or any of its possessions, at least 649  
seventy-five per cent of the members of which are war veterans and 650  
substantially all of the other members of which are individuals 651  
who are ~~veterans (but not war veterans) or are cadets, or are~~ 652  
spouses, widows, or widowers of war veterans, or such individuals, 653  
provided that no part of the net earnings of such post, ~~chapter,~~ 654  
or organization inures to the benefit of any private shareholder 655  
or individual, and further provided that the ~~bingo game proceeds~~ 656  
~~are net profit is~~ used by the post, ~~chapter,~~ or organization for 657  
the charitable purposes set forth in division (B)(12) of section 658  
5739.02 of the Revised Code, ~~are is~~ used for awarding scholarships 659  
to or for attendance at an institution mentioned in division 660  
(B)(12) of section 5739.02 of the Revised Code, ~~are is~~ donated to 661  
a governmental agency, or ~~are is~~ used for nonprofit youth 662  
activities, the purchase of United States or Ohio flags that are 663  
donated to schools, youth groups, or other bona fide nonprofit 664  
organizations, promotion of patriotism, or disaster relief; ~~that~~ 665  
~~the proceeds of the bingo game are used by, or given, donated, or~~ 666

~~otherwise transferred to a~~ 667

(3) A fraternal organization that has been in continuous 668  
existence in this state for fifteen years ~~for use~~ and that uses 669  
the net profit exclusively for religious, charitable, scientific, 670  
literary, or educational purposes, or for the prevention of 671  
cruelty to children or animals ~~and, if~~ contributions for such use 672  
would qualify as a deductible charitable contribution under 673  
subsection 170 of the Internal Revenue Code; ~~or that the proceeds~~ 674  
~~of the bingo game are used by a~~ 675

(4) A volunteer ~~fire fighter's~~ firefighter's organization ~~and~~ 676  
~~are used by the organization~~ that uses the net profit for the 677  
purposes set forth in division (L) of this section. 678

(AA) "Internal Revenue Code" means the "Internal Revenue Code 679  
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 680  
amended. 681

(BB) "Youth athletic organization" means any organization, 682  
not organized for profit, that is organized and operated 683  
exclusively to provide financial support to, or to operate, 684  
athletic activities for persons who are twenty-one years of age or 685  
younger by means of sponsoring, organizing, operating, or 686  
contributing to the support of an athletic team, club, league, or 687  
association. 688

(CC) "Youth athletic park organization" means any 689  
organization, not organized for profit, that satisfies both of the 690  
following: 691

(1) It owns, operates, and maintains playing fields that 692  
satisfy both of the following: 693

(a) The playing fields are used at least one hundred days per 694  
year for athletic activities by one or more organizations, not 695  
organized for profit, each of which is organized and operated 696  
exclusively to provide financial support to, or to operate, 697

athletic activities for persons who are eighteen years of age or  
younger by means of sponsoring, organizing, operating, or  
contributing to the support of an athletic team, club, league, or  
association.

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(b) The playing fields are not used for any profit-making  
activity at any time during the year.

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(2) It uses the proceeds of ~~the bingo games~~ it conducts  
exclusively for the operation, maintenance, and improvement of its  
playing fields of the type described in division (CC)(1) of this  
section.

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(DD) "Amateur athletic organization" means any organization,  
not organized for profit, that is organized and operated  
exclusively to provide financial support to, or to operate,  
athletic activities for persons who are training for amateur  
athletic competition that is sanctioned by a national governing  
body as defined in the "Amateur Sports Act of 1978," 90 Stat.  
3045, 36 U.S.C.A. 373.

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(EE) "Bingo supplies" means bingo cards or sheets; instant  
bingo tickets or cards; electronic bingo aids; raffle tickets;  
punch boards; seal cards; instant bingo ticket dispensers; and  
devices for selecting or displaying the combination of bingo  
letters and numbers or raffle tickets. Items that are "bingo  
supplies" are not gambling devices if sold or otherwise provided,  
and used, in accordance with this chapter. For purposes of this  
chapter, "bingo supplies" are not to be considered equipment used  
to conduct a bingo game.

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(FF) "Instant bingo" means a form of bingo that uses folded  
or banded tickets or paper cards with perforated break-open tabs,  
a face of which is covered or otherwise hidden from view to  
conceal a number, letter, or symbol, or set of numbers, letters,  
or symbols, some of which have been designated in advance as prize

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winners. "Instant bingo" includes seal cards. "Instant bingo" does not include any device that is activated by the insertion of a coin, currency, token, or an equivalent, and that contains as one of its components a video display monitor that is capable of displaying numbers, letters, symbols, or characters in winning or losing combinations.

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(GG) "Seal card" means a form of instant bingo that uses instant bingo tickets in conjunction with a board or placard that contains one or more seals that, when removed or opened, reveal predesignated winning numbers, letters, or symbols.

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(HH) "Raffle" means a form of bingo in which the one or more prizes are won by one or more persons who have purchased a raffle ticket. The one or more winners of the raffle are determined by drawing a ticket stub or other detachable section from a receptacle containing ticket stubs or detachable sections corresponding to all tickets sold for the raffle.

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(II) "Punch board" means a board containing a number of holes or receptacles of uniform size in which are placed, mechanically and randomly, serially numbered slips of paper that may be punched or drawn from the hole or receptacle when used in conjunction with instant bingo. A player may punch or draw the numbered slips of paper from the holes or receptacles and obtain the prize established for the game if the number drawn corresponds to a winning number or, if the punch board includes the use of a seal card, a potential winning number.

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(JJ) "Gross profit" means gross receipts minus the amount actually expended for the payment of prize awards.

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(KK) "Net profit" means gross profit minus expenses.

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(LL) "Expenses" means the reasonable amount of gross profit actually expended for all of the following:

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(1) The purchase or lease of bingo supplies;

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<u>(2) The annual license fee required under section 2915.08 of the Revised Code;</u>	760 761
<u>(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;</u>	762 763
<u>(4) Audits and accounting services;</u>	764
<u>(5) Safes;</u>	765
<u>(6) Cash registers;</u>	766
<u>(7) Hiring security personnel;</u>	767
<u>(8) Advertising bingo;</u>	768
<u>(9) Renting premises in which to conduct bingo;</u>	769
<u>(10) Tables and chairs;</u>	770
<u>(11) Any other product or service directly related to the conduct of bingo that is authorized in rules adopted by the attorney general under division (B)(1) of section 2915.08 of the Revised Code.</u>	771 772 773 774
<u>(MM) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any firm or any other legal entity, however organized.</u>	775 776 777
<u>(NN) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction.</u>	778 779 780 781
<u>(OO) "Suspend" means to interrupt temporarily all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction.</u>	782 783 784 785
<u>(PP) "Distributor" means any person who purchases or obtains bingo supplies and who sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person</u>	786 787 788

for use in this state. 789

(OO) "Manufacturer" means any person who assembles completed bingo supplies from raw materials, other items, or subparts or who modifies, converts, adds to, or removes parts from bingo supplies to further their promotion or sale. 790  
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(RR) "Gross annual revenues" means the annual gross receipts derived from the conduct of bingo described in division (S)(1) of this section plus the annual net profit derived from the conduct of bingo described in division (S)(2) of this section. 794  
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(SS) "Instant bingo ticket dispenser" means a mechanical device that dispenses an instant bingo ticket or card as the sole item of value dispensed and that has the following characteristics: 798  
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(1) It is activated upon the insertion of United States currency. 802  
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(2) It performs no gaming functions. 804

(3) It does not contain a video display monitor or generate noise. 805  
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(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations. 807  
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(5) It does not simulate or display rolling or spinning reels. 809  
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(6) It is incapable of determining whether a dispensed bingo ticket or card is a winning or nonwinning ticket or card and requires a winning ticket or card to be paid by a bingo game operator. 811  
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(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses. 815  
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(8) It is not part of an electronic network and is not 817

interactive. 818

(TT)(1) "Electronic bingo aid" means an electronic device 819  
used by a participant to monitor bingo cards or sheets purchased 820  
at the time and place of a bingo session and that does all of the 821  
following: 822

(a) It provides a means for a participant to input numbers 823  
and letters announced by a bingo caller. 824

(b) It compares the numbers and letters entered by the 825  
participant to the bingo faces previously stored in the memory of 826  
the device. 827

(c) It identifies a winning bingo pattern. 828

(2) "Electronic bingo aid" does not include any device into 829  
which a coin, currency, token, or an equivalent is inserted to 830  
activate play. 831

(UU) "Deal of instant bingo tickets" means a single game of 832  
instant bingo tickets all with the same serial number. 833

(VV) "Slot machine means either of the following: 834

(1) Any mechanical, electronic, video, or digital device that 835  
is capable of accepting anything of value, directly or indirectly, 836  
from or on behalf of a player who gives the thing of value in the 837  
hope of gain, the outcome of which is determined largely or wholly 838  
by chance; 839

(2) Any mechanical, electronic, video, or digital device that 840  
is capable of accepting anything of value, directly or indirectly, 841  
from or on behalf of a player to conduct or dispense bingo or a 842  
scheme or game of chance. 843

(WW) "Net profit from the proceeds of the sale of instant 844  
bingo" means gross profit minus the ordinary, necessary, and 845  
reasonable expense expended for the purchase of instant bingo 846  
supplies. 847

(XX) "Charitable instant bingo organization" means an organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code and is a charitable organization as defined in this section. A "charitable instant bingo organization" does not include a charitable organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code and that is created by a veteran's organization or a fraternal organization in regards to bingo conducted or assisted by a veteran's organization or a fraternal organization pursuant to section 2915.13 of the Revised Code.

**Sec. 2915.02.** (A) No person shall do any of the following:

(1) Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;

(2) Establish, promote, or operate or knowingly engage in conduct that facilitates any ~~scheme or~~ game of chance conducted for profit or any scheme of chance;

(3) Knowingly procure, transmit, exchange, or engage in conduct that facilitates the procurement, transmission, or exchange of information for use in establishing odds or determining winners in connection with bookmaking or with any ~~scheme or~~ game of chance conducted for profit or any scheme of chance;

(4) Engage in betting or in playing any scheme or game of chance, ~~except a charitable bingo game,~~ as a substantial source of income or livelihood;

(5) With purpose to violate division (A)(1), (2), (3), or (4) of this section, acquire, possess, control, or operate any gambling device.

(B) For purposes of division (A)(1) of this section, a person facilitates bookmaking if the person in any way knowingly aids an illegal bookmaking operation, including, without limitation, placing a bet with a person engaged in or facilitating illegal bookmaking. For purposes of division (A)(2) of this section, a person facilitates a ~~scheme or game of chance~~ conducted for profit or a scheme of chance if the person in any way knowingly aids in the conduct or operation of any such ~~scheme or game~~ or scheme, including, without limitation, playing any such ~~scheme or game~~ or scheme.

(C) This section does not prohibit conduct in connection with gambling expressly permitted by law.

(D) This section does not apply to any of the following:

(1) ~~Schemes of chance conducted by a charitable organization that is, and has received from the internal revenue service a determination letter that is currently in effect stating that the organization is, exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code, provided that all of the money or assets received from the scheme of chance after deduction only of prizes paid out during the conduct of the scheme of chance are used by, or given, donated, or otherwise transferred to, any organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code, and provided that the scheme of chance is not conducted during, or within ten hours of, a bingo game conducted for amusement purposes only pursuant to section 2915.12 of the Revised Code;~~

~~(2) Games of chance, if all of the following apply:~~

~~(a) The games of chance are not craps for money, or roulette~~

for money, ~~or slot machines~~. 909

(b) The games of chance are conducted by a charitable 910  
organization that is, and has received from the internal revenue 911  
service a determination letter that is currently in effect, 912  
stating that the organization is, exempt from federal income 913  
taxation under subsection 501(a) and described in subsection 914  
501(c)(3) of the Internal Revenue Code. 915

(c) The games of chance are conducted at festivals of the 916  
charitable organization that are conducted either for a period of 917  
four consecutive days or less and not more than twice a year or 918  
for a period of five consecutive days not more than once a year, 919  
and are conducted on premises owned by the charitable organization 920  
for a period of no less than one year immediately preceding the 921  
conducting of the games of chance, on premises leased from a 922  
governmental unit, or on premises that are leased from a veteran's 923  
or fraternal organization and that have been owned by the lessor 924  
veteran's or fraternal organization for a period of no less than 925  
one year immediately preceding the conducting of the games of 926  
chance. 927

A charitable organization shall not lease premises from a 928  
veteran's or fraternal organization to conduct a festival 929  
described in division (D)~~(2)~~(1)(c) of this section if the 930  
veteran's or fraternal organization already has leased the 931  
premises four times during the preceding year to charitable 932  
organizations for that purpose. If a charitable organization 933  
leases premises from a veteran's or fraternal organization to 934  
conduct a festival described in division (D)~~(2)~~(1)(c) of this 935  
section, the charitable organization shall not pay a rental rate 936  
for the premises per day of the festival that exceeds the rental 937  
rate per bingo session that a charitable organization may pay 938  
under division ~~(A)~~~~(3)~~(B)(1) of section 2915.09 of the Revised Code 939  
when it leases premises from another charitable organization to 940

conduct bingo games. 941

(d) All of the money or assets received from the games of 942  
chance after deduction only of prizes paid out during the conduct 943  
of the games of chance are used by, or given, donated, or 944  
otherwise transferred to, any organization that is described in 945  
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 946  
Revenue Code and is either a governmental unit or an organization 947  
that is tax exempt under subsection 501(a) and described in 948  
subsection 501(c)(3) of the Internal Revenue Code; 949

(e) The games of chance are not conducted during, or within 950  
ten hours of, a bingo game conducted for amusement purposes only 951  
pursuant to section 2915.12 of the Revised Code. 952

No person shall receive any commission, wage, salary, reward, 953  
tip, donation, gratuity, or other form of compensation, directly 954  
or indirectly, for operating or assisting in the operation of any 955  
~~scheme~~ or game of chance. 956

~~(3)~~(2) Any tag fishing tournament operated under a permit 957  
issued under section 1533.92 of the Revised Code, as "tag fishing 958  
tournament" is defined in section 1531.01 of the Revised Code; 959

(3) Bingo conducted by a charitable organization that holds a 960  
license issued under section 2915.08 of the Revised Code. 961

(E) Division (D) of this section shall not be construed to 962  
authorize the sale, lease, or other temporary or permanent 963  
transfer of the right to conduct ~~schemes of chance~~ or games of 964  
chance, as granted by that division ~~(D) of this section~~, by any 965  
charitable organization that is granted that right. 966

(F) Whoever violates this section is guilty of gambling, a 967  
misdemeanor of the first degree. If the offender previously has 968  
been convicted of any gambling offense, gambling is a felony of 969  
the fifth degree. 970



**Sec. 2915.04.** (A) No person, while at a hotel, restaurant, 971  
tavern, store, arena, hall, or other place of public 972  
accommodation, business, amusement, or resort shall make a bet or 973  
play any game of chance or scheme of chance. 974

(B) No person, being the owner or lessee, or having custody, 975  
control, or supervision, of a hotel, restaurant, tavern, store, 976  
arena, hall, or other place of public accommodation, business, 977  
amusement, or resort shall recklessly permit ~~such~~ those premises 978  
to be used or occupied in violation of division (A) of this 979  
section. 980

(C) ~~This Divisions (A) and (B) of this section does do~~ not 981  
prohibit conduct in connection with gambling expressly permitted 982  
by law. 983

(D) Whoever violates this section is guilty of public 984  
gaming~~7~~. Except as otherwise provided in this division, public 985  
gaming is a minor misdemeanor. If the offender ~~has~~ previously has 986  
been convicted of any gambling offense, public gaming is a 987  
misdemeanor of the fourth degree. 988

(E) Premises used or occupied in violation of division (B) of 989  
this section constitute a nuisance subject to abatement ~~pursuant~~ 990  
~~to sections 3767.01 to 3767.99~~ under Chapter 3767. of the Revised 991  
Code. 992

**Sec. 2915.05.** (A) No person, with purpose to defraud or 993  
knowing that the person is facilitating a fraud, shall engage in 994  
conduct designed to corrupt the outcome of any of the following: 995

(1) The subject of a bet; 996

(2) A contest of knowledge, skill, or endurance that is not 997  
an athletic or sporting event; 998

(3) A scheme or game of chance; 999

(4) Bingo.	1000
(B) No person shall knowingly do any of the following:	1001
(1) Offer, give, solicit, or accept anything of value to corrupt the outcome of an athletic or sporting event;	1002 1003
(2) Engage in conduct designed to corrupt the outcome of an athletic or sporting event.	1004 1005
(C)(1) Whoever violates division (A) of this section is guilty of cheating <del>7</del> . <u>Except as otherwise provided in this division, cheating is</u> a misdemeanor of the first degree. If the potential gain from the cheating is five hundred dollars or more or if the offender previously has been convicted of any gambling offense or of any theft offense, as defined in section 2913.01 of the Revised Code, cheating is a felony of the fifth degree.	1006 1007 1008 1009 1010 1011 1012
(2) Whoever violates division (B) of this section is guilty of corrupting sports. Corrupting sports is a felony of the fifth degree on a first offense and a felony of the fourth degree on each subsequent offense.	1013 1014 1015 1016
<b>Sec. 2915.07.</b> (A) No person, except a charitable organization that has obtained a <del>bingo</del> license pursuant to section 2915.08 of the Revised Code, shall conduct or advertise a bingo <del>game</del> . <u>This division does not apply to a raffle that a charitable organization conducts or advertises.</u>	1017 1018 1019 1020 1021
(B) Whoever violates this section is guilty of conducting an illegal bingo <del>game</del> , a felony of the fourth degree.	1022 1023
<b>Sec. 2915.08.</b> (A) <u>(1)</u> Annually before the first day of January, a charitable organization that desires to conduct bingo <del>games</del> , <u>instant bingo at a bingo session, or instant bingo other than at a bingo session</u> shall make out <del>and deliver to the attorney general</del> , upon a form to be furnished by the attorney general for	1024 1025 1026 1027 1028

that purpose, an application for a license to conduct bingo, 1029  
instant bingo at a bingo session, or instant bingo other than at a 1030  
bingo session and deliver that application to the attorney general 1031  
together with a license fee of one hundred as follows: 1032

(a) Except as otherwise provided in this division, for a 1033  
license for the conduct of bingo, two hundred dollars ~~or a~~; 1034

(b) For a license for the conduct of instant bingo at a bingo 1035  
session or instant bingo other than at a bingo session for a 1036  
charitable organization that previously has not been licensed 1037  
under this chapter to conduct instant bingo at a bingo session or 1038  
instant bingo other than at a bingo session, a license fee of five 1039  
hundred dollars, and for any other charitable organization, a 1040  
license fee that is based upon the total of all money or assets 1041  
received by any person or the charitable organization from the 1042  
operation of instant bingo at a bingo session or instant bingo 1043  
other than at a bingo session, during the one-year period ending 1044  
on the thirty-first day of October of the year immediately 1045  
preceding the year for which the license is sought, and that is 1046  
one of the following: 1047

(i) Five hundred dollars, if the total is fifty thousand 1048  
dollars or less; 1049

(ii) One thousand two hundred fifty dollars, if the total is 1050  
more than fifty thousand dollars but less than three hundred 1051  
thousand one dollars; 1052

(iii) Two thousand two hundred fifty dollars, if the total is 1053  
more than three hundred thousand dollars but less than six hundred 1054  
thousand one dollars; 1055

(iv) Three thousand five hundred dollars, if the total is 1056  
more than six hundred thousand dollars but less than one million 1057  
one dollars; 1058

(v) Five thousand dollars, if the total is one million one 1059  
dollars or more; 1060

(c) A reduced license fee established by the attorney general 1061  
pursuant to division (G) of this section. ~~The~~ 1062

(d) For a license to conduct bingo for a charitable 1063  
organization that prior to the effective date of this amendment 1064  
has not been licensed under this chapter to conduct bingo, instant 1065  
bingo at a bingo session, or instant bingo other than at a bingo 1066  
session, a license fee established by rule by the attorney general 1067  
in accordance with division (H) of this section. 1068

(2) The application shall be in the form prescribed by the 1069  
attorney general ~~and,~~ shall be signed and sworn to by the 1070  
applicant. 1071

~~The application, and~~ shall contain all of the following: 1072

~~(1)~~(a) The name and post-office address of the applicant; 1073

~~(2)~~(b) A statement that the applicant is a charitable 1074  
organization and that it has been in continuous existence as a 1075  
charitable organization in this state for two years immediately 1076  
preceding the making of the application or for five years in the 1077  
case of a fraternal organization or a nonprofit medical 1078  
organization; 1079

~~(3)~~(c) The location at which the organization will conduct 1080  
~~the bingo game,~~ which location shall be within the county in which 1081  
the principal place of business of the applicant is located, the 1082  
days of the week and the times on each of those days when ~~a~~ bingo 1083  
~~session~~ will be conducted, whether the organization owns, leases, 1084  
or subleases the premises, and a copy of the rental agreement if 1085  
it leases or subleases the premises; 1086

~~(4)~~(d) A statement of the applicant's previous history, 1087  
record, and association that is sufficient to establish that the 1088

applicant is a charitable organization, and a copy of a 1089  
determination letter that is issued by the Internal Revenue 1090  
Service and states that the organization is tax exempt under 1091  
subsection 501(a) and described in subsection 501(c)(3), 1092  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 1093  
Revenue Code; 1094

+5)+(e) A statement as to whether the applicant has ever had 1095  
any previous application refused, whether it previously has had a 1096  
license revoked or suspended, and the reason stated by the 1097  
attorney general for the refusal, revocation, or suspension; 1098

+6)+(f) A statement of the charitable ~~purpose~~ purposes for 1099  
which the ~~bingo proceeds~~ net profit derived from bingo, other than 1100  
instant bingo, will be used, and a statement of how the net profit 1101  
derived from instant bingo will be distributed in accordance with 1102  
section 2915.101 of the Revised Code; 1103

+7)+(g) Other necessary and reasonable information that the 1104  
attorney general may require by rule adopted pursuant to section 1105  
111.15 of the Revised Code; 1106

+8)+(h) If the applicant is a charitable trust as defined in 1107  
section 109.23 of the Revised Code, a statement as to whether it 1108  
has registered with the attorney general pursuant to section 1109  
109.26 of the Revised Code or filed annual reports pursuant to 1110  
section 109.31 of the Revised Code, and, if it is not required to 1111  
do either, the exemption in section 109.26 or 109.31 of the 1112  
Revised Code that applies to it; 1113

+9)+(i) If the applicant is a charitable organization as 1114  
defined in section 1716.01 of the Revised Code, a statement as to 1115  
whether it has filed with the attorney general a registration 1116  
statement pursuant to section 1716.02 of the Revised Code and a 1117  
financial report pursuant to section 1716.04 of the Revised Code, 1118  
and, if it is not required to do both, the exemption in section 1119  
1716.03 of the Revised Code that applies to it; 1120

~~(10)(j)~~ In the case of an applicant seeking to qualify as a youth athletic park organization ~~under division (CC) of section 2915.01 of the Revised Code~~, a statement issued by a board or body vested with authority under Chapter 755. of the Revised Code for the supervision and maintenance of recreation facilities in the territory in which the organization is located, certifying that the playing fields owned by the organization were used for at least one hundred days during the year in which the statement is issued, and were open for use to all residents of that territory, regardless of race, color, creed, religion, sex, or national origin, for athletic activities by youth athletic organizations, ~~as defined in division (BB) of section 2915.01 of the Revised Code~~, that do not discriminate on the basis of race, color, creed, religion, sex, or national origin, and that the fields were not used for any profit-making activity at any time during the year. That type of board or body is authorized to issue the statement upon request and shall issue the statement if it finds that the applicant's playing fields were so used.

(3) The attorney general, within thirty days after receiving a timely filed application from a charitable organization that has been issued a ~~bingo~~ license under this section that has not expired and has not been revoked or suspended, shall send a temporary permit to the applicant specifying the date on which the application was filed with the attorney general and stating that, pursuant to section 119.06 of the Revised Code, the applicant may continue to conduct bingo ~~games~~ until a new license is granted or, if the application is rejected, until fifteen days after notice of the rejection is mailed to the applicant. The temporary permit does not affect the validity of the applicant's application and does not grant any rights to the applicant except those rights specifically granted in section 119.06 of the Revised Code. The issuance of a temporary permit by the attorney general pursuant to

this ~~paragraph~~ division does not prohibit the attorney general 1153  
from rejecting the applicant's application because of acts that 1154  
the applicant committed, or actions that the applicant failed to 1155  
take, before or after the issuance of the temporary permit. 1156

(4) Within thirty days after receiving an initial license 1157  
application from a charitable organization to conduct bingo, 1158  
instant bingo at a bingo session, or instant bingo other than at a 1159  
bingo session, the attorney general shall conduct a preliminary 1160  
review of the application and notify the applicant regarding any 1161  
deficiencies. Once an application is deemed complete, or beginning 1162  
on the thirtieth day after the application is filed, if the 1163  
attorney general failed to notify the applicant of any 1164  
deficiencies, the attorney general shall have an additional sixty 1165  
days to conduct an investigation and either grant or deny the 1166  
application based on findings established and communicated in 1167  
accordance with divisions (B) and (E) of this section. As an 1168  
option to granting or denying an initial license application, the 1169  
attorney general may grant a temporary license and request 1170  
additional time to conduct the investigation if the attorney 1171  
general has cause to believe that additional time is necessary to 1172  
complete the investigation and has notified the applicant in 1173  
writing about the specific concerns raised during the 1174  
investigation. 1175

(B)(1) The attorney general shall adopt rules to enforce 1176  
sections 2915.01, 2915.02, and 2915.07 to ~~2915.12~~ 2915.13 of the 1177  
Revised Code to ensure that bingo ~~games are~~ or instant bingo is 1178  
conducted in accordance with those sections, and to maintain 1179  
proper control over the conduct of bingo ~~games~~ or instant bingo. 1180  
The rules, except rules adopted pursuant to ~~division~~ divisions 1181  
(A)~~(7)~~(2)(g) and (G) of this section, shall be adopted pursuant to 1182  
Chapter 119. of the Revised Code. The attorney general shall 1183  
license charitable organizations to conduct bingo ~~games~~, instant 1184

bingo at a bingo session, or instant bingo other than at a bingo session in conformance with this chapter and with the licensing provisions of Chapter 119. of the Revised Code.

(2) The attorney general may refuse to grant a ~~bingo~~ license to any organization, or revoke or suspend the license of any organization, that does any of the following or to which any of the following applies:

(a) Fails or has failed at any time to meet any requirement of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 2915.11 of the Revised Code, or violates or has violated any provision of sections 2915.02 or 2915.07 to ~~2915.12~~ 2915.13 of the Revised Code or any rule adopted by the attorney general pursuant to this section;

(b) Makes or has made an incorrect or false statement that is material to the granting of the license in an application filed pursuant to division (A) of this section;

(c) Submits or has submitted any incorrect or false information relating to an application if the information is material to the granting of the license;

(d) Maintains or has maintained any incorrect or false information that is material to the granting of the license in the records required to be kept pursuant to ~~division~~ divisions (A) and (C) of section 2915.10 of the Revised Code, if applicable;

(e) The attorney general has good cause to believe that the organization will not conduct ~~its~~ bingo games, instant bingo at a bingo session, or instant bingo other than at a bingo session in accordance with sections ~~2915.02 and~~ 2915.07 to ~~2915.12~~ 2915.13 of the Revised Code or with any rule adopted by the attorney general pursuant to this section.

(3) For the purposes of ~~this~~ division (B) of this section, any action of an officer, trustee, agent, representative, or bingo



game operator of an organization is an action of the organization. 1216

(C) The attorney general may grant ~~bingo~~ licenses to 1217  
charitable organizations that are branches, lodges, or chapters of 1218  
national charitable organizations. 1219

(D) The attorney general shall send notice in writing to the 1220  
prosecuting attorney and sheriff of the county in which the 1221  
organization will conduct ~~the bingo game~~, instant bingo at a bingo 1222  
session, or instant bingo other than at a bingo session, as stated 1223  
in its application for a license or amended license, and to any 1224  
other law enforcement agency in that county that so requests, of 1225  
all of the following: 1226

(1) The issuance of the license; 1227

(2) The issuance of the amended license; 1228

(3) The rejection of an application for and refusal to grant 1229  
a license; 1230

(4) The revocation of any license previously issued; 1231

(5) The suspension of any license previously issued. 1232

(E) A ~~bingo~~ license issued by the attorney general shall set 1233  
forth the information contained on the application of the 1234  
charitable organization that the attorney general determines is 1235  
relevant, including, but not limited to, the location at which the 1236  
organization will conduct ~~the bingo game~~, instant bingo at a bingo 1237  
session, or instant bingo other than at a bingo session and the 1238  
days of the week and the times on each of those days when a bingo 1239  
~~session~~ will be conducted. If the attorney general refuses to 1240  
grant or revokes or suspends a ~~bingo~~ license, the attorney general 1241  
shall notify the applicant in writing and specifically identify 1242  
the reason for the refusal, revocation, or suspension in narrative 1243  
form and, if applicable, by identifying the section of the Revised 1244  
Code violated. The failure of the attorney general to give the 1245  
written notice of the reasons for the refusal, revocation, or 1246

suspension or a mistake in the written notice does not affect the 1247  
validity of the attorney general's refusal to grant, or the 1248  
revocation or suspension of, a ~~bingo~~ license. If the attorney 1249  
general fails to give the written notice or if there is a mistake 1250  
in the written notice, the applicant may bring an action to compel 1251  
the attorney general to comply with this division or to correct 1252  
the mistake, but the attorney general's order refusing to grant, 1253  
or revoking or suspending, a ~~bingo~~ license shall not be enjoined 1254  
during the pendency of the action. 1255

(F) A charitable organization that has been issued a ~~bingo~~ 1256  
license pursuant to division (B) of this section but that cannot 1257  
conduct bingo ~~sessions~~ or instant bingo at the location, or on the 1258  
day of the week or at the time, specified on the license due to 1259  
circumstances ~~beyond its control~~ that make it impractical to do so 1260  
may apply, without charge, in writing, together with an 1261  
application fee of two hundred fifty dollars, to the attorney 1262  
general ~~for, at least thirty days prior to a change in location,~~ 1263  
day of the week, or time, and request an amended ~~bingo~~ license. 1264  
The application shall describe ~~in detail~~ the causes making it 1265  
~~impossible~~ impractical for the organization to conduct ~~its~~ bingo 1266  
~~sessions~~ or instant bingo in conformity with its license and shall 1267  
indicate the location, days of the week, and times on each of 1268  
those days when it desires to conduct a bingo ~~session~~. ~~If the~~ 1269  
~~attorney general approves the application for the amended license~~ 1270  
or instant bingo. Except as otherwise provided in this division, 1271  
the attorney general shall issue the amended license in accordance 1272  
with division (E) of this section, and the organization shall 1273  
surrender its original license to the attorney general. The 1274  
attorney general ~~shall~~ may refuse to grant ~~an application for an~~ 1275  
amended ~~bingo~~ license according to the terms of division (B) of 1276  
this section. 1277

(G) The attorney general, by rule adopted pursuant to section 1278

111.15 of the Revised Code, shall establish a schedule of reduced  
license fees for charitable organizations that desire to conduct  
bingo ~~games~~ or instant bingo during fewer than twenty-six weeks in  
any calendar year.

(H) The attorney general, by rule adopted pursuant to section  
111.15 of the Revised Code, shall establish license fees for the  
conduct of bingo, instant bingo at a bingo session, or instant  
bingo other than at a bingo session for charitable organizations  
that prior to the effective date of this amendment have not been  
licensed to conduct bingo, instant bingo at a bingo session, or  
instant bingo other than at a bingo session under this chapter.

(I) The attorney general may enter into a written contract  
with any other state agency to delegate to that state agency the  
powers prescribed to the attorney general under Chapter 2915. of  
the Revised Code.

(J) The attorney general, by rule adopted pursuant to section  
111.15 of the Revised Code, may adopt rules to determine the  
requirements for a charitable organization that is exempt from  
federal income taxation under subsection 501(a) and described in  
subsection 501(c)(3) of the Internal Revenue Code to be in good  
standing in the state.

**Sec. 2915.081.** (A) No distributor shall sell, offer to sell,  
or otherwise provide or offer to provide bingo supplies to another  
person for use in this state without having obtained a license  
from the attorney general under this section.

(B) The attorney general may issue a distributor license to  
any person that meets the requirements of this section. The  
application for the license shall be on a form prescribed by the  
attorney general and be accompanied by the annual fee prescribed  
by this section. The license is valid for a period of one year,  
and the annual fee for the license is two thousand five hundred

dollars. 1310

(C) The attorney general may refuse to issue a distributor license to any person to which any of the following applies, or to any person that has an officer, partner, or other person who has an ownership interest of ten per cent or more and to whom any of the following applies: 1311  
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(1) The person, officer, or partner has been convicted of a felony under the laws of this state, another state, or the United States. 1316  
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(2) The person, officer, or partner has been convicted of any gambling offense. 1319  
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(3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section or in a similar application submitted to a gambling licensing authority in another jurisdiction if the statement resulted in license revocation through administrative action in the other jurisdiction. 1321  
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(4) The person, officer, or partner has submitted any incorrect or false information relating to the application to the attorney general under this section, if the information is material to the granting of the license. 1328  
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(5) The person, officer, or partner has failed to correct any incorrect or false information that is material to the granting of the license in the records required to be maintained under division (E) of section 2915.10 of the Revised Code. 1332  
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(6) The person, officer, or partner has had a license related to gambling revoked or suspended under the laws of this state, another state, or the United States. 1336  
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(D) The attorney general shall not issue a distributor 1339

license to any person that is involved in the conduct of bingo on 1340  
behalf of a charitable organization or that is a lessor of 1341  
premises used for the conduct of bingo. This division does not 1342  
prohibit a distributor from advising charitable organizations on 1343  
the use and benefit of specific bingo supplies or prohibit a 1344  
distributor from advising a customer on operational methods to 1345  
improve bingo profitability. 1346

(E)(1) No distributor shall sell, offer to sell, or otherwise 1347  
provide or offer to provide bingo supplies to any person for use 1348  
in this state except to a charitable organization that has been 1349  
issued a license under section 2915.08 of the Revised Code or to 1350  
another distributor that has been issued a license under this 1351  
section. No distributor shall accept payment for the sale or other 1352  
provision of bingo supplies other than by check. 1353

(2) No distributor may donate, give, loan, lease, or 1354  
otherwise provide any bingo supplies or equipment to a charitable 1355  
organization for use in a bingo session conditioned on or in 1356  
consideration for an exclusive right to provide bingo supplies to 1357  
the charitable organization. A distributor may provide a licensed 1358  
charitable organization with free samples of the distributor's 1359  
products to be used as prizes or to be used for the purpose of 1360  
sampling. 1361

(3) No distributor shall purchase bingo supplies for use in 1362  
this state from any person except from a manufacturer issued a 1363  
license under section 2915.082 of the Revised Code or from another 1364  
distributor issued a license under this section. Subject to 1365  
division (D) of section 2915.082 of the Revised Code, no 1366  
distributor shall pay for purchased bingo supplies other than by 1367  
check. 1368

(4) No distributor shall participate in the conduct of bingo 1369  
on behalf of a charitable organization or have any direct or 1370  
indirect ownership interest in a premises used for the conduct of 1371

bingo. 1372

(5) No distributor shall knowingly solicit, offer, pay, or receive any kickback, bribe, or undocumented rebate, directly or indirectly, overtly or covertly, in cash or in kind, in return for providing bingo supplies to any person in this state. 1373  
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(F) The attorney general may suspend or revoke a distributor license for any of the reasons for which the attorney general may refuse to issue a distributor license specified in division (C) of this section or if the distributor holding the license violates any provision of this chapter or any rule adopted by the attorney general under this chapter. 1377  
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(G) Whoever violates division (A) or (E) of this section is guilty of illegally operating as a distributor. Except as otherwise provided in this division, illegally operating as a distributor is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of division (A) or (E) of this section, illegally operating as a distributor is a felony of the fifth degree. 1383  
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**Sec. 2915.082.** (A) No manufacturer shall sell, offer to sell, or otherwise provide or offer to provide bingo supplies for use in this state without having obtained a license from the attorney general under this section. 1390  
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(B) The attorney general may issue a manufacturer license to any person that meets the requirements of this section. The application for the license shall be on a form prescribed by the attorney general and be accompanied by the annual fee prescribed by this section. The license is valid for a period of one year, and the annual fee for the license is two thousand five hundred dollars. 1394  
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(C) The attorney general may refuse to issue a manufacturer 1401

license to any person to which any of the following applies, or to 1402  
any person that has an officer, partner, or other person who has 1403  
an ownership interest of ten per cent or more and to whom any of 1404  
the following applies: 1405

(1) The person, officer, or partner has been convicted of a 1406  
felony under the laws of this state, another state, or the United 1407  
States. 1408

(2) The person, officer, or partner has been convicted of any 1409  
gambling offense. 1410

(3) The person, officer, or partner has made an incorrect or 1411  
false statement that is material to the granting of a license in 1412  
an application submitted to the attorney general under this 1413  
section or in a similar application submitted to a gambling 1414  
licensing authority in another jurisdiction if the statement 1415  
resulted in license revocation through administrative action in 1416  
the other jurisdiction. 1417

(4) The person, officer, or partner has submitted any 1418  
incorrect or false information relating to the application to the 1419  
attorney general under this section, if the information is 1420  
material to the granting of the license. 1421

(5) The person, officer, or partner has failed to correct any 1422  
incorrect or false information that is material to the granting of 1423  
the license in the records required to be maintained under 1424  
division (F) of section 2915.10 of the Revised Code. 1425

(6) The person, officer, or partner has had a license related 1426  
to gambling revoked or suspended under the laws of this state, 1427  
another state, or the United States. 1428

(D)(1) No manufacturer shall sell, offer to sell, or 1429  
otherwise provide or offer to provide bingo supplies to any person 1430  
for use in this state except to a distributor that has been issued 1431  
a license under section 2915.081 of the Revised Code. No 1432

manufacturer shall accept payment for the sale of bingo supplies 1433  
other than by check. 1434

(2) No manufacturer shall knowingly solicit, offer, pay, or 1435  
receive any kickback, bribe, or undocumented rebate, directly or 1436  
indirectly, overtly or covertly, in cash or in kind, in return for 1437  
providing bingo supplies to any person in this state. 1438

(E) The attorney general may suspend or revoke a manufacturer 1439  
license for any of the reasons for which the attorney general may 1440  
refuse to issue a manufacturer license specified in division (C) 1441  
of this section or if the manufacturer holding the license 1442  
violates any provision of this chapter or any rule adopted by the 1443  
attorney general under this chapter. 1444

(F) Whoever violates division (A) or (D) of this section is 1445  
guilty of illegally operating as a manufacturer. Except as 1446  
otherwise provided in this division, illegally operating as a 1447  
manufacturer is a misdemeanor of the first degree. If the offender 1448  
previously has been convicted of a violation of division (A) or 1449  
(D) of this section, illegally operating as a manufacturer is a 1450  
felony of the fifth degree. 1451

**Sec. 2915.09.** (A) ~~A~~ No charitable organization that conducts 1452  
~~a bingo game~~ shall fail to do all any of the following: 1453

(1) Own all of the equipment used to conduct ~~the bingo game~~ 1454  
or lease that equipment from a charitable organization that is 1455  
licensed to conduct ~~a bingo game~~ for a rental rate that is not 1456  
more than is customary and reasonable for that equipment; 1457

(2) Use all of the gross receipts from ~~the bingo game~~ for 1458  
paying prizes, for ~~the charitable purposes listed in its bingo~~ 1459  
~~license application~~ renting premises in which to conduct bingo, 1460  
for purchasing or leasing bingo ~~cards and other equipment supplies~~ 1461  
used in conducting ~~the bingo game~~, for hiring security personnel 1462



~~for the bingo game, or for advertising the bingo game, or for~~ 1463  
~~other expenses listed in division (LL) of section 2915.01 of the~~ 1464  
~~Revised Code, provided that the amount of the receipts so spent is~~ 1465  
~~not more than is customary and reasonable for a similar purchase,~~ 1466  
~~lease, hiring, or advertising, and for renting premises in which~~ 1467  
~~to conduct the bingo game, except that if or expense. If the~~ 1468  
~~building in which the game bingo is conducted is owned by the~~ 1469  
~~charitable organization conducting the game bingo and the bingo~~ 1470  
~~conducted includes a form of bingo described in division (S)(1) of~~ 1471  
~~section 2915.01 of the Revised Code, the charitable organization~~ 1472  
~~may deduct from the total amount of the gross receipts from each~~ 1473  
~~session a sum equal to the lesser of six hundred dollars or~~ 1474  
~~forty-five per cent of the gross receipts from the session bingo~~ 1475  
~~described in that division as consideration for the use of the~~ 1476  
~~premises†.~~ 1477

(3) ~~Conduct Use, or give, donate, or otherwise transfer, all~~ 1478  
~~of the net profit derived from bingo, other than instant bingo,~~ 1479  
~~for a charitable purpose listed in its license application and~~ 1480  
~~described in division (Z) of section 2915.01 of the Revised Code,~~ 1481  
~~or distribute all of the net profit derived from instant bingo as~~ 1482  
~~stated in its license application and in accordance with section~~ 1483  
~~2915.101 of the Revised Code.~~ 1484

(B) ~~No charitable organization that conducts a bingo game~~ 1485  
~~described in division (S)(1) of section 2915.01 of the Revised~~ 1486  
~~Code shall fail to do any of the following:~~ 1487

(1) ~~Conduct the bingo game on premises that are owned by the~~ 1488  
~~charitable organization, on premises that are owned by another~~ 1489  
~~charitable organization and leased from that charitable~~ 1490  
~~organization for a rental rate not in excess of four the lesser of~~ 1491  
~~six hundred fifty dollars per bingo session or forty-five per cent~~ 1492  
~~of the gross receipts of the bingo session, on premises that are~~ 1493  
~~leased from a person other than a charitable organization for a~~ 1494

rental rate that is not more than is customary and reasonable for 1495  
premises that are similar in location, size, and quality but not 1496  
in excess of four hundred fifty dollars per bingo session, or on 1497  
premises that are owned by a person other than a charitable 1498  
organization, that are leased from that person by another 1499  
charitable organization, and that are subleased from that other 1500  
charitable organization by the charitable organization for a 1501  
rental rate not in excess of four hundred fifty dollars per bingo 1502  
session. If the charitable organization leases from a person other 1503  
than a charitable organization the premises on which it conducts 1504  
bingo ~~games~~ sessions, the lessor of the premises shall provide 1505  
only the premises to the organization and shall not provide the 1506  
organization with bingo game operators, security personnel, 1507  
concessions or concession operators, bingo ~~equipment~~ supplies, or 1508  
any other type of service or equipment. A charitable organization 1509  
shall not lease or sublease premises that it owns or leases to 1510  
more than one other charitable organization per calendar week for 1511  
the purpose of conducting bingo ~~games~~ sessions on the premises. A 1512  
person that is not a charitable organization shall not lease 1513  
premises that it owns, leases, or otherwise is empowered to lease 1514  
to more than one charitable organization per calendar week for 1515  
conducting bingo ~~games~~ sessions on the premises. In no case shall 1516  
more than two bingo sessions be conducted on any premises in any 1517  
calendar week. 1518

~~(4)(2)~~ Display its ~~bingo~~ license conspicuously at the 1519  
~~location~~ premises where the bingo ~~game~~ session is conducted; 1520

~~(5)(3)~~ Conduct the bingo ~~game~~ session in accordance with the 1521  
definition of bingo set forth in division (S)(1) of section 1522  
2915.01 of the Revised Code. 1523

~~(B) A~~ (C) No charitable organization that conducts a bingo 1524  
game described in division (S)(1) of section 2915.01 of the 1525  
Revised Code shall ~~not~~ do any of the following: 1526

(1) Pay any compensation to a bingo game operator for 1527  
operating a bingo ~~game~~ session that is conducted by the charitable 1528  
organization or for preparing, selling, or serving food or 1529  
beverages at the site of the bingo ~~game~~ session, permit any 1530  
auxiliary unit or society of the charitable organization to pay 1531  
compensation to any bingo game operator who prepares, sells, or 1532  
serves food or beverages at a bingo session conducted by the 1533  
charitable organization, or permit any auxiliary unit or society 1534  
of the charitable organization to prepare, sell, or serve food or 1535  
beverages at a bingo session conducted by the charitable 1536  
organization, if the auxiliary unit or society pays any 1537  
compensation to the bingo game operators who prepare, sell, or 1538  
serve the food or beverages; 1539

(2) Pay consulting fees to any person for any services 1540  
performed in relation to the bingo ~~game~~ session; 1541

(3) Pay concession fees to any person who provides 1542  
refreshments to the participants in the bingo ~~game~~ session; 1543

(4) ~~Conduct~~ Except as otherwise provided in division (C)(4) 1544  
of this section, conduct more than two bingo sessions in any 1545  
seven-day period. ~~Except that a~~ A volunteer ~~fire fighter's~~ 1546  
firefighter's organization or a volunteer rescue service 1547  
organization that conducts not more than five bingo sessions in a 1548  
calendar year may conduct more than two bingo sessions in a 1549  
seven-day period after notifying the attorney general when it will 1550  
conduct the sessions~~+~~. 1551

(5) Pay out more than three thousand five hundred dollars in 1552  
prizes during any bingo session that is conducted by the 1553  
charitable organization; 1554

(6) Conduct a bingo session at any time during the ten-hour 1555  
period between midnight and ten a.m., at any time during, or 1556  
within ten hours of, a bingo game conducted for amusement only 1557

pursuant to section 2915.12 of the Revised Code, at any ~~location~~ 1558  
premises not specified on its ~~bingo~~ license, or on any day of the 1559  
week or during any time period not specified on its ~~bingo~~ license. 1560  
If circumstances ~~beyond its control~~ make it ~~impossible~~ impractical 1561  
for the charitable organization to conduct a bingo session at the 1562  
~~location~~ premises, or on the day of the week or at the time, 1563  
specified on its ~~bingo~~ license or if a charitable organization 1564  
wants to conduct bingo sessions on a day of the week or at a time 1565  
other than the day or time specified on its ~~bingo~~ license, the 1566  
charitable organization may apply in writing to the attorney 1567  
general for an amended ~~bingo~~ license, pursuant to division (F) of 1568  
section 2915.08 of the Revised Code. A charitable organization may 1569  
apply ~~only once~~ twice in each calendar year for an amended license 1570  
to conduct bingo sessions on a day of the week or at a time other 1571  
than the day or time specified on its ~~bingo~~ license. If the 1572  
amended license is granted, the organization may conduct bingo 1573  
sessions at the ~~location~~ premises, on the day of the week, and at 1574  
the time specified on its amended license. 1575

(7) Permit any person whom the charitable organization knows, 1576  
or should have known, is under the age of eighteen to work as a 1577  
bingo game operator; 1578

(8) Permit any person whom the charitable organization knows, 1579  
or should have known, has been convicted of a felony or gambling 1580  
offense in any jurisdiction to be a bingo game operator; 1581

(9) Permit the lessor of the premises on which the bingo 1582  
session is conducted, if the lessor is not a charitable 1583  
organization, to provide the charitable organization with bingo 1584  
game operators, security personnel, concessions, bingo ~~equipment~~ 1585  
supplies, or any other type of service or equipment; 1586

(10) Purchase or lease bingo supplies from any person except 1587  
a distributor issued a license under section 2915.081 of the 1588  
Revised Code; 1589

(11)(a) Use or permit the use of electronic bingo aids except 1590  
under the following circumstances: 1591

(i) For any single participant, not more than ninety bingo 1592  
faces can be played using an electronic bingo aid or aids. 1593

(ii) The charitable organization shall provide a participant 1594  
using an electronic bingo aid with corresponding paper bingo cards 1595  
or sheets. 1596

(iii) The total price of bingo faces played with an 1597  
electronic bingo aid shall be equal to the total price of the same 1598  
number of bingo faces played with a paper bingo card or sheet sold 1599  
at the same bingo session but without an electronic bingo aid. 1600  
1601

(iv) An electronic bingo aid cannot be part of an electronic 1602  
network other than a network that includes only bingo aids and 1603  
devices that are located on the premises at which the bingo is 1604  
being conducted or be interactive with any device not located on 1605  
the premises at which the bingo is being conducted. 1606

(v) An electronic bingo aid cannot be used to participate in 1607  
bingo that is conducted at a location other than the location at 1608  
which the bingo session is conducted and at which the electronic 1609  
bingo aid is used. 1610

(vi) An electronic bingo aid cannot be used to provide for 1611  
the input of numbers and letters announced by a bingo caller other 1612  
than the bingo caller who physically calls the numbers and letters 1613  
at the location at which the bingo session is conducted and at 1614  
which the electronic bingo aid is used. 1615

(b) The attorney general may adopt rules in accordance with 1616  
Chapter 119. of the Revised Code that govern the use of electronic 1617  
bingo aids. The rules may include a requirement that an electronic 1618  
bingo aid be capable of being audited by the attorney general to 1619  
verify the number of bingo cards or sheets played during each 1620

bingo session. 1621

(12) Permit any person the charitable organization knows, or 1622  
should have known, to be under eighteen years of age to play bingo 1623  
described in division (S)(1) of section 2915.01 of the Revised 1624  
Code. 1625

~~(C)~~ (D) Except as otherwise provided in this division, no 1626  
charitable organization shall provide to a bingo game operator, 1627  
and no bingo game operator shall not receive or accept, any 1628  
commission, wage, salary, reward, tip, donation, gratuity, or 1629  
other form of compensation, directly or indirectly, regardless of 1630  
the source, for ~~operating a~~ conducting bingo game or providing 1631  
other work or labor at the site of the bingo game. This division 1632  
does not prohibit an employee of a fraternal organization or 1633  
veteran's organization from selling instant bingo tickets or cards 1634  
to the organization's members, as long as no portion of the 1635  
employee's compensation is paid from any receipts of bingo. 1636

~~(D)~~ (E) Notwithstanding division ~~(A)~~(3)~~(B)~~(1) of this section, 1637  
a charitable organization that, prior to December 6, 1977, has 1638  
entered into written agreements for the lease of premises it owns 1639  
to another charitable organization or other charitable 1640  
organizations for the conducting of bingo sessions so that more 1641  
than two bingo sessions are conducted per calendar week on the 1642  
premises, and a person that is not a charitable organization and 1643  
that, prior to December 6, 1977, has entered into written 1644  
agreements for the lease of premises it owns to charitable 1645  
organizations for the conducting of more than two bingo sessions 1646  
per calendar week on the premises, may continue to lease the 1647  
premises to those charitable organizations, provided that no more 1648  
than four sessions are conducted per calendar week, that the 1649  
lessor organization or person has notified the attorney general in 1650  
writing of the organizations that will conduct the sessions and 1651  
the days of the week and the times of the day on which the 1652

sessions will be conducted, that the initial lease entered into 1653  
with each organization that will conduct the sessions was filed 1654  
with the attorney general prior to December 6, 1977, and that each 1655  
organization that will conduct the sessions was issued a license 1656  
to conduct bingo games by the attorney general prior to December 1657  
6, 1977. 1658

~~(E)~~(F) Whoever violates division (A)(2) of this section is 1659  
guilty of illegally conducting a bingo game, a felony of the 1660  
fourth degree. ~~Whoever~~ Except as otherwise provided in this 1661  
division, whoever violates division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ 1662  
(B)(1), (2), or (3), or (C)(1) to (12), or (D) of this section is 1663  
guilty of a minor misdemeanor. If the offender previously has been 1664  
convicted of a violation of division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ 1665  
(B)(1), (2), or (3), or (C)(1) to (11), or, (D) of this section, a 1666  
violation of division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ (B)(1), (2), or 1667  
(3), or (C), or (D) of this section is a misdemeanor of the first 1668  
degree. Whoever violates division (C)(12) of this section is 1669  
guilty of a misdemeanor of the first degree, if the offender 1670  
previously has been convicted of a violation of division (C)(12) 1671  
of this section, a felony of the fourth degree. 1672

**Sec. 2915.091.** (A) No charitable organization that conducts 1673  
instant bingo shall do any of the following: 1674

(1) Fail to comply with the requirements of divisions (A)(1), 1675  
(2), and (3) of section 2915.09 of the Revised Code; 1676

(2) Conduct instant bingo unless either of the following 1677  
apply: 1678

(a) That organization is, and has received from the internal 1679  
revenue service a determination letter that is currently in effect 1680  
stating that the organization is, exempt from federal income 1681  
taxation under subsection 501(a), is described in subsection 1682  
501(c)(3) of the Internal Revenue Code, is a charitable 1683

organization as defined in section 2915.01 of the Revised Code, is 1684  
in good standing in the state pursuant to section 2915.08 of the 1685  
Revised Code, and is in compliance with Chapter 1716. of the 1686  
Revised Code; 1687

(b) That organization is, and has received from the internal 1688  
revenue service a determination letter that is currently in effect 1689  
stating that the organization is, exempt from federal income 1690  
taxation under subsection 501(a), is described in subsection 1691  
501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, 1692  
and conducts instant bingo under section 2915.13 of the Revised 1693  
Code. 1694

(3) Conduct instant bingo on any day, at any time, or at any 1695  
premises not specified on the organization's license issued 1696  
pursuant to section 2915.08 of the Revised Code; 1697

(4) Permit any person whom the organization knows or should 1698  
have known has been convicted of a felony or gambling offense in 1699  
any jurisdiction to be a bingo game operator in the conduct of 1700  
instant bingo; 1701

(5) Purchase or lease supplies used to conduct instant bingo 1702  
or punch board games from any person except a distributor licensed 1703  
under section 2915.081 of the Revised Code; 1704

(6) Sell or provide any instant bingo ticket or card for a 1705  
price different from the price printed on it by the manufacturer; 1706

(7) Sell an instant bingo ticket or card to a person under 1707  
eighteen years of age; 1708

(8) Fail to keep unsold instant bingo tickets or cards for 1709  
less than three years; 1710

(9) Pay any compensation to a bingo game operator for 1711  
conducting instant bingo that is conducted by the organization or 1712  
for preparing, selling, or serving food or beverages at the site 1713



of the instant bingo game, permit any auxiliary unit or society of 1714  
the organization to pay compensation to any bingo game operator 1715  
who prepares, sells, or serves food or beverages at an instant 1716  
bingo game conducted by the organization, or permit any auxiliary 1717  
unit or society of the organization to prepare, sell, or serve 1718  
food or beverages at an instant bingo game conducted by the 1719  
organization, if the auxiliary unit or society pays any 1720  
compensation to the bingo game operators who prepare, sell, or 1721  
serve the food or beverages; 1722

(10) Pay fees to any person for any services performed in 1723  
relation to an instant bingo game; 1724

(11) Pay fees to any person who provides refreshments to the 1725  
participants in an instant bingo game; 1726

(12) Allow instant bingo tickets or cards to be sold to bingo 1727  
game operators who are performing work or labor at a premises at 1728  
which the organization sells instant bingo tickets or cards or to 1729  
be sold to employees of a D permit holder who are working at a 1730  
premises at which instant bingo tickets or cards are sold on 1731  
behalf of the organization as described in division (B) of section 1732  
4301.03 of the Revised Code; 1733

(13) Fail to display its bingo license, and the serial 1734  
numbers of the deal of instant bingo tickets or cards to be sold, 1735  
conspicuously at each premises at which it sells instant bingo 1736  
tickets or cards; 1737

(14) Possess a deal of instant bingo tickets or cards that 1738  
was not purchased from a distributor licensed under section 1739  
2915.081 of the Revised Code as reflected on an invoice issued by 1740  
the distributor that contains all of the information required by 1741  
division (E) of section 2915.10 of the Revised Code; 1742

(15) Fail, once it opens a deal of instant bingo tickets or 1743  
cards, to continue to sell the tickets or cards in that deal until 1744

the tickets or cards with the top two highest tiers of prizes in 1745  
that deal are sold; 1746

(16) Purchase, lease, or use instant bingo ticket dispensers 1747  
to sell instant bingo tickets or cards; 1748

(17) Possess bingo supplies that were not obtained in 1749  
accordance with sections 2915.01 to 2915.13 of the Revised Code. 1750

(B) A charitable organization may conduct instant bingo other 1751  
than at a bingo session at not more than five separate locations. 1752  
A charitable organization that is exempt from federal taxation 1753  
under subsection 501(a) and described in subsection 501(c)(3) of 1754  
the Internal Revenue Code and that is created by a veteran's 1755  
organization or a fraternal organization is not limited in the 1756  
number of separate locations the charitable organization may 1757  
conduct instant bingo other than at a bingo session. 1758

(C) The attorney general may adopt rules in accordance with 1759  
Chapter 119. of the Revised Code that govern the conduct of 1760  
instant bingo by charitable organizations. Before those rules are 1761  
adopted, the attorney general shall reference the recommended 1762  
standards for opacity, randomization, minimum information, winner 1763  
protection, color, and cutting for instant bingo tickets or cards, 1764  
seal cards, and punch boards established by the North American 1765  
gaming regulators association. 1766

(D) Whoever violates division (A) of this section or a rule 1767  
adopted under division (B) of this section is guilty of illegal 1768  
instant bingo conduct. Except as otherwise provided in this 1769  
division, illegal instant bingo conduct is a misdemeanor of the 1770  
first degree. If the offender previously has been convicted of a 1771  
violation of division (A) of this section or of such a rule, 1772  
illegal instant bingo conduct is a felony of the fifth degree. 1773

**Sec. 2915.092.** (A) A charitable organization may conduct a 1774

raffle to raise money for the charitable organization and does not 1775  
need a license to conduct bingo in order to conduct a raffle 1776  
drawing. 1777

(B)(1) No charitable organization shall conduct a raffle 1778  
unless the organization is, and has received from the internal 1779  
revenue service a determination letter that is currently in effect 1780  
stating that the organization is, exempt from federal income 1781  
taxation under subsection 501(a) and is described in subsection 1782  
501(c)(3) of the Internal Revenue Code. 1783

(2) No charitable organization shall conduct more than 1784  
thirty-six raffles during a calendar year. 1785

(3) No person shall be compensated directly or indirectly for 1786  
assisting in the conduct or operation of a raffle. 1787

(C) No raffle drawing shall be conducted on premises other 1788  
than premises that a charitable organization uses for its 1789  
charitable programs. 1790

(D) No person shall fail to use, or give, donate, or 1791  
otherwise transfer, the net profit from a raffle for a charitable 1792  
purpose described in division (Z) of section 2915.01 of the 1793  
Revised Code. 1794

(E) Whoever violates division (B), (C), or (D) of this 1795  
section is guilty of illegal conduct of a raffle. Except as 1796  
otherwise provided in this division, illegal conduct of a raffle 1797  
is a misdemeanor of the first degree. If the offender previously 1798  
has been convicted of a violation of division (B), (C), or (D) of 1799  
this section, illegal conduct of a raffle is a felony of the fifth 1800  
degree. 1801

**Sec. 2915.093.** (A) As used in this section, "retail income 1802  
from all commercial activity" includes the sale of instant bingo 1803

tickets. 1804

(B) A charitable instant bingo organization may conduct instant bingo other than at a bingo session at not more than five separate locations. 1805  
1806  
1807

(C) If a charitable instant bingo organization conducts instant bingo other than at a bingo session, the charitable instant bingo organization shall enter into a written contract with the owner or lessor of the location at which the instant bingo is conducted to allow the owner or lessor to assist in the conduct of instant bingo other than at a bingo session, identify each location where the instant bingo other than at a bingo session is being conducted, and identify the owner or lessor of each location. 1808  
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(D) No charitable instant bingo organization shall conduct instant bingo other than at a bingo session at a location where the primary source of retail income from all commercial activity at that location is the sale of instant bingo tickets. 1817  
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(E) The owner or lessor of a location that enters into a contract pursuant to division (C) of this section shall pay up front for the cost of the deal of instant bingo tickets and the gross profits that would be earned by the owner or lessor if all of the instant bingo tickets are sold. The owner or lessor may retain the money that the owner or lessor receives for selling the instant bingo tickets up to the amount that it paid to the charitable instant bingo organization. If the owner or lessor of the location earns any more money than the owner or lessor paid out in prizes or paid up front, the owner or lessor of the location shall pay that money to the charitable instant bingo organization. 1821  
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(F) A charitable instant bingo organization shall provide the attorney general with all of the following information: 1833  
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(1) That the charitable instant bingo organization has 1835  
terminated a contract entered into pursuant to division (C) of 1836  
this section with an owner or lessor of a location; 1837

(2) That the charitable instant bingo organization has 1838  
entered into a written contract pursuant to division (C) of this 1839  
section with a new owner or lessor of a location; 1840

(3) That the charitable instant bingo organization is aware 1841  
of conduct by the owner or lessor of a location at which instant 1842  
bingo is conducted that is in violation of Chapter 2915. of the 1843  
Revised Code. 1844

**Sec. 2915.094.** (A) No owner or lessor of a location shall 1845  
assist a charitable instant bingo organization in the conduct of 1846  
instant bingo other than at a bingo session at that location 1847  
unless the owner or lessor has entered into a written contract, as 1848  
described in division (C) of section 2915.093 of the Revised Code, 1849  
with the charitable instant bingo organization to assist in the 1850  
conduct of instant bingo other than at a bingo session. 1851

(B) The location of the lessor or owner shall be designated 1852  
as a location where the charitable instant bingo organization 1853  
conducts instant bingo other than at a bingo session. 1854

(C) No owner or lessor of a location that enters into a 1855  
written contract as prescribed in division (A) of this section 1856  
shall violate any provision of Chapter 2915. of the Revised Code, 1857  
or permit, aid, or abet any other person in violating any 1858  
provision of Chapter 2915. of the Revised Code. 1859

(D) No owner or lessor of a location that enters into a 1860  
written contract as prescribed in division (A) of this section 1861  
shall violate the terms of the contract. 1862

(E)(1) Whoever violates division (C) or (D) of this section 1863  
is guilty of illegal instant bingo conduct. Except as otherwise 1864

provided in this division, illegal instant bingo conduct is a 1865  
misdemeanor of the first degree. If the offender previously has 1866  
been convicted of a violation of division (C) or (D) of this 1867  
section, illegal instant bingo conduct is a felony of the fifth 1868  
degree. 1869

(2) If an owner or lessor of a location knowingly, 1870  
intentionally, or recklessly violates division (C) or (D) of this 1871  
section, any license that the owner or lessor holds for the retail 1872  
sale of any goods on the owner's or lessor's premises that is 1873  
issued by the state or a political subdivision is subject to 1874  
suspension, revocation, or payment of a monetary penalty at the 1875  
request of the attorney general. 1876

**Sec. 2915.095.** The attorney general, by rule adopted pursuant 1877  
to section 111.15 of the Revised Code, shall establish a standard 1878  
contract to be used by a charitable instant bingo organization, a 1879  
veteran's organization, or a fraternal organization, for the 1880  
conduct of instant bingo other than at a bingo session. The terms 1881  
of the contract shall be limited to the provisions in Chapter 1882  
2915. of the Revised Code. 1883

**Sec. 2915.10.** (A) ~~A~~ No charitable organization that conducts 1884  
~~a bingo session or scheme or~~ a game of chance pursuant to division 1885  
(D) of section 2915.02 of the Revised Code, shall fail to maintain 1886  
the following records for at least three years from the date on 1887  
which the bingo ~~session or scheme~~ or game of chance is conducted: 1888

(1) An itemized list of the gross receipts of each bingo 1889  
~~session or scheme or,~~ each game of instant bingo by serial number, 1890  
each raffle, each punch board game, and each game of chance; 1891

(2) An itemized list of all expenses, other than prizes, that 1892  
are incurred in conducting ~~the bingo session or~~ instant bingo, the 1893  
name of each person to whom the expenses are paid, and a receipt 1894

for all of the expenses;	1895
(3) A list of all prizes awarded during <del>the</del> <u>each</u> bingo	1896
<del>session or scheme or</del> , <u>each raffle, each punch board game, and each</u>	1897
game of chance conducted by the charitable organization, <u>the total</u>	1898
<u>prizes awarded from each game of instant bingo by serial number,</u>	1899
and the name <del>and</del> , <u>address, and social security number</u> of all	1900
persons who are winners of prizes of <del>one</del> <u>six</u> hundred dollars or	1901
more in value;	1902
(4) An itemized list of the <del>charitable</del> recipients of the	1903
<del>proceeds net profit</del> of the bingo <del>session or scheme</del> or game of	1904
chance, including the name and address of each recipient to whom	1905
the money is distributed, and if the organization uses the	1906
<del>proceeds net profit</del> of a bingo <del>session</del> , or the money or assets	1907
received from a <del>scheme or</del> game of chance, for any <u>charitable or</u>	1908
<u>other</u> purpose set forth in division (Z) of section 2915.01 <del>or</del> ,	1909
division (D) of section 2915.02, <u>or section 2915.101</u> of the	1910
Revised Code, a list of each purpose and an itemized list of each	1911
expenditure for each purpose;	1912
(5) The number of persons who participate in any bingo	1913
<del>session or scheme</del> or game of chance that is conducted by the	1914
charitable organization;	1915
(6) A list of receipts from the sale of food and beverages by	1916
the charitable organization or one of its auxiliary units or	1917
societies, if the receipts were excluded from <del>the definition of</del>	1918
"gross receipts" under division (X) of section 2915.01 of the	1919
Revised Code;	1920
(7) An itemized list of all expenses incurred at each bingo	1921
<del>session</del> , <u>each raffle, each punch board game, or each game of</u>	1922
<u>instant bingo</u> conducted by the charitable organization in the sale	1923
of food and beverages by the charitable organization or by an	1924
auxiliary unit or society of the charitable organization, the name	1925
of each person to whom the expenses are paid, and a receipt for	1926

all of the expenses. 1927

(B) A charitable organization shall keep the records that it 1928  
is required to maintain pursuant to division (A) of this section 1929  
at its principal place of business in this state or at its 1930  
headquarters in this state and shall notify the attorney general 1931  
of the location at which those records are kept. 1932

(C) The gross profit from each bingo session or game 1933  
described in division (S)(1) or (2) of section 2915.01 of the 1934  
Revised Code shall be deposited into a checking account devoted 1935  
exclusively to the bingo session or game. Payments for allowable 1936  
expenses incurred in conducting the bingo session or game and 1937  
payments to recipients of some or all of the net profit of the 1938  
bingo session or game shall be made only by checks drawn on the 1939  
bingo session or game account. 1940

(D) Each charitable organization shall conduct and record an 1941  
inventory of all of its bingo supplies as of the first day of 1942  
November of each year. 1943

(E) The attorney general may adopt rules in accordance with 1944  
Chapter 119. of the Revised Code that establish standards of 1945  
accounting, record keeping, and reporting to ensure that gross 1946  
receipts from bingo or games of chance are properly accounted for. 1947

(F) A distributor shall maintain, for a period of three years 1948  
after the date of its sale or other provision, a record of each 1949  
instance of its selling or otherwise providing to another person 1950  
bingo supplies for use in this state. The record shall include all 1951  
of the following for each instance: 1952

(1) The name of the manufacturer from which the distributor 1953  
purchased the bingo supplies and the date of the purchase; 1954

(2) The name and address of the charitable organization or 1955  
other distributor to which the bingo supplies were sold or 1956  
otherwise provided; 1957



<u>(3) A description that clearly identifies the bingo supplies;</u>	1958
<u>(4) Invoices that include the nonrepeating serial numbers of all paper bingo cards and sheets and all instant bingo deals sold or otherwise provided to each charitable organization.</u>	1959 1960 1961
<u>(G) A manufacturer shall maintain, for a period of three years after the date of its sale or other provision, a record of each instance of its selling or otherwise providing bingo supplies for use in this state. The record shall include all of the following for each instance:</u>	1962 1963 1964 1965 1966
<u>(1) The name and address of the distributor to whom the bingo supplies were sold or otherwise provided;</u>	1967 1968
<u>(2) A description that clearly identifies the bingo supplies, including serial numbers;</u>	1969 1970
<u>(3) Invoices that include the nonrepeating serial numbers of all paper bingo cards and sheets and all instant bingo deals sold or otherwise provided to each distributor.</u>	1971 1972 1973
<u>(H) The attorney general, or any local law enforcement agency, may do all of the following:</u>	1974 1975
<u>(1) Investigate any charitable organization or any officer, agent, trustee, member, or employee of the organization;</u>	1976 1977
<u>(2) Examine the accounts and records of the organization;</u>	1978
<u>(3) Conduct inspections, audits, and observations of bingo games or schemes or games of chance while they are in session;</u>	1979 1980
<u>(4) Conduct inspections of the premises where bingo games or schemes or games of chance are operated <u>conducted</u>;</u>	1981 1982
<u>(5) Take any other necessary and reasonable action to determine if a violation of any provision of sections 2915.01, 2915.02, and 2915.07 to 2915.12 <u>2915.13</u> of the Revised Code has occurred and to determine whether section 2915.11 of the Revised</u>	1983 1984 1985 1986

Code has been complied with. 1987

If any ~~local~~ law enforcement agency has reasonable grounds to 1988  
believe that a charitable organization or an officer, agent, 1989  
trustee, member, or employee of the organization has violated any 1990  
provision of this chapter, the ~~local~~ law enforcement agency may 1991  
proceed by action in the proper court to enforce this chapter, 1992  
provided that the ~~local~~ law enforcement agency shall give written 1993  
notice to the attorney general when commencing an action as 1994  
described in this division. 1995

~~(C)~~(I) No person shall destroy, alter, conceal, withhold, or 1996  
deny access to any accounts or records of a charitable 1997  
organization that have been requested for examination, or 1998  
obstruct, impede, or interfere with any inspection, audit, or 1999  
observation of a bingo ~~game~~ or ~~scheme~~ or a game of chance or 2000  
premises where a bingo ~~game~~ or ~~scheme~~ or a game of chance is 2001  
~~operated~~ conducted, or refuse to comply with any reasonable 2002  
request of, or obstruct, impede, or interfere with any other 2003  
reasonable action undertaken by, the attorney general or a ~~local~~ 2004  
law enforcement agency pursuant to division ~~(B)~~(H) of this 2005  
section. 2006

~~(D)~~(J) Whoever violates division (A) or ~~(C)~~(I) of this 2007  
section is guilty of a misdemeanor of the first degree. 2008

Sec. 2915.101. Except as otherwise provided by law, a 2009  
charitable organization that conducts instant bingo shall 2010  
distribute the net profit from the proceeds of the sale of instant 2011  
bingo as follows: 2012

(A)(1) If a veteran's organization or a fraternal 2013  
organization conducted the instant bingo, the organization shall 2014  
distribute the net profit, as follows: 2015

(a) A minimum of fifty per cent shall be distributed to an 2016  
organization described in division (Z)(1) of section 2915.01 of 2017

the Revised Code or to a department or agency of the federal 2018  
government, the state, or any political subdivision; 2019

(b) Fifteen per cent may be distributed for the 2020  
organization's own charitable purposes. 2021

(c) Thirty-five per cent may be deducted and retained by the 2022  
organization for the organization's expenses in conducting the 2023  
instant bingo game. 2024

(2) If a veteran's organization or a fraternal organization 2025  
does not distribute the full percentages specified in divisions 2026  
(A)(1)(b) and (c) of this section for the purposes specified in 2027  
those divisions, the organization shall distribute the balance of 2028  
the net profit not distributed or retained for those purposes to 2029  
an organization described in division (Z)(1) of section 2915.01 of 2030  
the Revised Code. 2031

(3) A veteran's organization or a fraternal organization is 2032  
not required to itemize the organization's expenses. 2033

(B)(1) If a charitable organization other than a veteran's 2034  
organization or a fraternal organization conducted the instant 2035  
bingo, the organization shall distribute the net profit as 2036  
follows: 2037

(a) A minimum of seventy per cent shall be distributed to an 2038  
organization described in division (Z)(1) of section 2915.01 of 2039  
the Revised Code or to a department or agency of the federal 2040  
government, the state, or any political subdivision. 2041

(b) Thirty per cent may be deducted and retained by the 2042  
organization for the organization's expenses in conducting the 2043  
instant bingo game. 2044

(2) If a charitable organization does not retain the full 2045  
percentage specified in division (B)(1)(b) of this section for the 2046  
purposes specified in that division, the organization shall 2047

distribute the balance of the net profit not retained for that 2048  
purpose to an organization described in division (Z)(1) of section 2049  
2915.01 of the Revised Code. 2050

(3) A charitable organization other than a veteran's 2051  
organization or fraternal organization is not required to itemize 2052  
the charitable organization's expenses. 2053

**Sec. 2915.12.** (A) Sections 2915.07 to 2915.11 of the Revised 2054  
Code do not apply to bingo games that are conducted for the 2055  
purpose of amusement only. A bingo game is conducted for the 2056  
purpose of amusement only if it complies with all of the 2057  
requirements specified in either division (A)(1) or ~~(B)(2)~~ of this 2058  
section: 2059

~~(A)~~(1)(a) The participants do not pay any money or any other 2060  
thing of value including an admission fee, or any fee for bingo 2061  
cards, or sheets, objects to cover the spaces, or other devices 2062  
used in playing bingo, for the privilege of participating in the 2063  
bingo game, or to defray any costs of the game, or pay tips or 2064  
make donations during or immediately before or after the bingo 2065  
game~~+~~. 2066

~~(2)~~(b) All prizes awarded during the course of the game are 2067  
nonmonetary, and in the form of merchandise, goods, or 2068  
entitlements to goods or services only, and the total value of all 2069  
prizes awarded during the game is less than one hundred dollars~~+~~. 2070

~~(3)~~(c) No commission, wages, salary, reward, tip, donation, 2071  
gratuity, or other form of compensation, either directly or 2072  
indirectly, and regardless of the source, is paid to any bingo 2073  
game operator for work or labor performed at the site of the bingo 2074  
game~~+~~. 2075

~~(4)~~(d) The bingo game is not conducted either during or 2076  
within ten hours of any of the following: 2077

<del>(a)</del> <u>(i)</u> A bingo session during which a charitable bingo game is conducted pursuant to sections 2915.07 to 2915.11 of the Revised Code;	2078 2079 2080
<del>(b)</del> <u>(ii)</u> A scheme or game of chance <del>other than a bingo game conducted pursuant to this section, or bingo described in division (S)(2) of section 2915.01 of the Revised Code.</del>	2081 2082 2083
<del>(5)</del> <u>(e)</u> The number of players participating in the bingo game does not exceed fifty.	2084 2085
<del>(B)</del> <u>(1)</u> <u>(2)</u> <u>(a)</u> The participants do not pay money or any other thing of value as an admission fee, and no participant is charged more than twenty-five cents to purchase a bingo card, <u>or</u> sheet, objects to cover the spaces, or other devices used in playing bingo.	2086 2087 2088 2089 2090
<del>(2)</del> <u>(b)</u> The total amount of money paid by all of the participants for bingo cards, <u>or</u> sheets, objects to cover the spaces, or other devices used in playing bingo does not exceed one hundred dollars.	2091 2092 2093 2094
<del>(3)</del> <u>(c)</u> All of the money paid for bingo cards, <u>or</u> sheets, objects to cover spaces, or other devices used in playing bingo <del>are</del> <u>is</u> used only to pay winners monetary and nonmonetary prizes and to provide refreshments.	2095 2096 2097 2098
<del>(4)</del> <u>(d)</u> The total value of all prizes awarded during the game does not exceed one hundred dollars.	2099 2100
<del>(5)</del> <u>(e)</u> No commission, wages, salary, reward, tip, donation, gratuity, or other form of compensation, either directly or indirectly, and regardless of the source, is paid to any bingo game operator for work or labor performed at the site of the bingo game.	2101 2102 2103 2104 2105
<del>(6)</del> <u>(f)</u> The bingo game is not conducted during or within ten hours of either of the following:	2106 2107

~~(a)(i)~~ A bingo session during which a charitable bingo game is conducted pursuant to sections 2915.07 to 2915.11 of the Revised Code;

~~(b)(ii)~~ A scheme of chance or game of chance ~~other than a bingo game conducted pursuant to this section, or bingo described in division (S)(2) of section 2915.01 of the Revised Code.~~

~~(7)(g)~~ All of the participants reside at the premises where the bingo game is conducted~~;~~.

~~(8)(h)~~ The bingo games are conducted on different days of the week and not more than twice in a calendar week.

~~(C)(B)~~ The attorney general~~,~~ or any local law enforcement agency~~,~~ may investigate the conduct of a bingo game that purportedly is conducted for purposes of amusement only if there is reason to believe that the purported amusement bingo game does not comply with the requirements of either division (A)(1) or ~~(B)(2)~~ of this section. A local law enforcement agency may proceed by action in the proper court to enforce this section if the local law enforcement agency gives written notice to the attorney general when commencing the action.

**Sec. 2915.13.** (A) A veteran's organization or a fraternal organization authorized to conduct a bingo session pursuant to sections 2915.01 to 2915.12 of the Revised Code may conduct instant bingo other than at a bingo session if all of the following apply:

(1) The veteran's organization or fraternal organization limits the sale of instant bingo to ten consecutive hours per day for up to six days per week.

(2) The veteran's organization or fraternal organization limits the sale of instant bingo to its own premises and to its own members and invited guests.

(3) The veteran's organization or fraternal organization is raising money for a charitable organization and executes a written contract with the charitable organization as required in division (B) of this section. 2138  
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(B) If a veteran's organization or fraternal organization authorized to conduct instant bingo pursuant to division (A) of this section is raising money for another charitable organization, the veteran's organization or fraternal organization shall execute a written contract with a charitable organization in order to conduct instant bingo. That contract shall include a statement of the percentage of the net proceeds that the veteran's or fraternal organization will be distributing to the charitable organization. 2142  
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(C)(1) If a veteran's organization or fraternal organization authorized to conduct instant bingo pursuant to division (A) of this section has been issued a liquor permit under Chapter 4303. of the Revised Code, that permit may be subject to suspension, revocation, or cancellation if the veteran's organization or fraternal organization violates a provision of sections 2915.01 to 2915.13 of the Revised Code. 2150  
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(2) No veteran's organization or fraternal organization that enters into a written contract pursuant to division (B) of this section shall violate any provision of Chapter 2915. of the Revised Code, or permit, aid, or abet any other person in violating any provision of Chapter 2915. of the Revised Code. 2157  
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(D) A veteran's organization or fraternal organization shall give all required proceeds earned from the conduct of instant bingo to the charitable organization with which the veteran's organization or fraternal organization has entered into a written contract. 2162  
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(E) Whoever violates this section is guilty of illegal instant bingo conduct. Except as otherwise provided in this 2167  
2168

division, illegal instant bingo conduct is a misdemeanor of the 2169  
first degree. If the offender previously has been convicted of a 2170  
violation of this section, illegal instant bingo conduct is a 2171  
felony of the fifth degree. 2172

**Sec. 3763.01.** (A) All promises, agreements, notes, bills, 2173  
bonds, or other contracts, mortgages, or other securities, when 2174  
the whole or part of the consideration thereof is for money or 2175  
other valuable thing won or lost, laid, staked, or betted at or 2176  
upon a game of any kind, or upon a horse race or cockfights, sport 2177  
or pastime, or on a wager, or for the repayment of money lent or 2178  
advanced at the time of a game, play, or wager, for the purpose of 2179  
being laid, betted, staked, or wagered, are void. 2180

(B) Sections 3763.01 to 3763.08 of the Revised Code do not 2181  
apply to ~~a charitable bingo game~~ as defined in ~~division (D)~~ of 2182  
section 2915.01 of the Revised Code or to any ~~scheme~~ or game of 2183  
chance that is not subject to criminal penalties under section 2184  
2915.02 of the Revised Code. 2185

**Section 2.** That existing sections 109.32, 173.121, 1531.01, 2186  
1711.09, 2915.01, 2915.02, 2915.04, 2915.05, 2915.07, 2915.08, 2187  
2915.09, 2915.10, 2915.12, and 3763.01 of the Revised Code are 2188  
hereby repealed. 2189

**Section 3.** The annual license fees prescribed by division 2190  
(A)(1) of section 2915.08 of the Revised Code, as amended by this 2191  
act, shall not be applied until one year after the effective date 2192  
of this act. During that one-year period after the effective date 2193  
of this act, the attorney general may, by rule adopted pursuant to 2194  
section 111.15 of the Revised Code establish the license fees for 2195  
the conduct of bingo, instant bingo at a bingo session, and 2196  
instant bingo other than at a bingo session. 2197



**Section 4.** All applicants that apply for an initial distributor license under section 2915.081 of the Revised Code within sixty days after the effective date of this act may sell bingo supplies as authorized by section 2915.081 of the Revised Code without a license only until a determination is made by the attorney general either granting or denying the application for a license under section 2915.081 of the Revised Code.

**Section 5.** All applicants that apply for an initial manufacturer's license under section 2915.082 of the Revised Code within sixty days after the effective date of this act may sell bingo supplies as authorized by section 2915.082 of the Revised Code without a license only until a determination is made by the attorney general either granting or denying the application for a license under section 2915.082 of the Revised Code.

**Section 6.** Divisions (D) and (E)(4) of section 2915.081 of the Revised Code, as enacted by this act, prohibiting a distributor from being a lessor of premises used for the conduct of bingo or having any direct or indirect ownership interest in a premises used for the conduct of bingo, shall not be applied against any distributor until one year after the effective date of this act if the distributor possesses an interest in any premises used for the conduct of bingo on the effective date of this act.

**Section 7.** Division (A)(4) of section 2915.08 of the Revised Code shall not be applied until one year after the effective date of this act.

**Section 8.** On or before June 1, 2003, the Attorney General shall make written recommendations to the House Committee on State Government and the Senate Judiciary Committee on Civil Justice

regarding the conduct of charitable fundraising authorized by this 2226  
act. 2227

**Section 9.** Section 2915.09 of the Revised Code is presented 2228  
in this act as a composite of the section as amended by both Am. 2229  
Sub. S.B. 70 and Am. Sub. S.B. 2 of the 121st General Assembly. 2230  
The General Assembly, applying the principle stated in division 2231  
(B) of section 1.52 of the Revised Code that amendments are to be 2232  
harmonized if reasonably capable of simultaneous operation, finds 2233  
that the composite is the resulting version of the section in 2234  
effect prior to the effective date of the section as presented in 2235  
this act. 2236