

AN ACT

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

Be it enacted by the General Assembly of the State of Ohio:

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

Sec. 109.32. All annual filing fees obtained by the attorney general pursuant to section 109.31 of the Revised Code, all receipts obtained from the sale of the charitable ~~law~~ foundations directory, ~~and~~ all registration fees received by the attorney general, bond forfeitures, awards of costs and attorney's fees, and civil penalties assessed under Chapter 1716. of the Revised Code, and all license fees received by the attorney general under

section 2915.08, 2915.081, or 2915.082 of the Revised Code shall be paid into the state treasury to the credit of the charitable law fund. The charitable law fund shall be used insofar as its moneys are available for the expenses of the charitable law section of the office of the attorney general, except that all annual license fees that are received by the attorney general under section 2915.08, 2915.081, or 2915.082 of the Revised Code and that are credited to the fund shall be used by the attorney general, or any law enforcement agency in cooperation with the attorney general, for the purposes specified in division (G) of section 2915.10 of the Revised Code and to administer and enforce Chapter 2915. of the Revised Code. The expenses of the charitable law section in excess of moneys available in the charitable law fund shall be paid out of regular appropriations to the office of the attorney general.

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.

(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:

(1) All bingo games are conducted only on the premises of the facility;

(2) All participants are sixty years of age or older;

(3) All bingo game operators are sixty years of age or older and receive no compensation for serving as operators;

(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;~~

(5) All proceeds from games are used only for any of the following:

(a) To pay winners monetary or nonmonetary prizes;

(b) To provide refreshments;

(c) To defray any costs directly related to conducting the games;

(d) To defray costs of services the facility provides in accordance with section 173.12 of the Revised Code.

Sec. 1531.01. As used in this chapter and Chapter 1533. of the Revised Code:

(A) "Person" means individual, company, partnership, corporation, municipal corporation, association, or any combination of individuals, or any employee, agent, or officer thereof.

(B) "Resident" means any individual who has resided in this state for

not less than six months next preceding the date of making application for a license.

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

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

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

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

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

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

(I) "Bag limit" means the number, measurement, or weight of any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.

(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.

(K) "Sell and sale" means barter, exchange, or offer or expose for sale.

(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.

(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.

(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.

(O) "Fish" means a cold-blooded vertebrate having fins.

(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.

(Q) "Wild birds" includes game birds and nongame birds.

(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.

(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.

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

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

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

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

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

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

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

(AA) "Muskrat spear" means any device used in spearing muskrats.

(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland in Lake Erie.

(CC) "Island" means a rock or land elevation above the waters of Lake Erie having an area of five or more acres above water.

(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.

(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.

(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.

(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.

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

refers to the fish designated by the scientific name in this definition.

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

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

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

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

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

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

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

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

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

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

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

(TT) "Tag fishing tournament" means a contest in which a participant pays a fee, or gives other valuable consideration, for a chance to win a prize by virtue of catching a tagged or otherwise specifically marked fish within a limited period of time, ~~but does not include a scheme of chance conducted under division (D)(1) of section 2915.02 of the Revised Code.~~

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

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

(WW) "Reptiles" includes common musk turtle (*sternotherus odoratus*), common snapping turtle (*Chelydra serpentina serpentina*), spotted turtle (*Clemmys guttata*), eastern box turtle (*Terrapene carolina carolina*), Blanding's turtle (*Emydoidea blandingii*), common map turtle (*Graptemys geographica*), ouachita map turtle (*Graptemys pseudogeographica ouachitensis*), midland painted turtle (*Chrysemys picta marginata*), red-eared slider (*Trachemys scripta elegans*), eastern spiny softshell turtle (*Apalone spinifera spinifera*), midland smooth softshell turtle (*Apalone mutica mutica*), northern fence lizard (*Sceloporus undulatus hyacinthinus*), ground skink (*Scincella lateralis*), five-lined skink (*Eumeces fasciatus*), broadhead skink (*Eumeces laticeps*), northern coal skink (*Eumeces anthracinus anthracinus*), European wall lizard (*Podarcis muralis*), queen snake (*Regina septemvittata*), Kirtland's snake (*Clonophis kirtlandii*), northern water snake (*Nerodia sipedon sipedon*), Lake Erie watersnake (*Nerodia sipedon insularum*), copperbelly water snake (*Nerodia erythrogaster neglecta*), northern brown snake (*Storeria dekayi dekayi*), midland brown snake (*Storeria dekayi wrightorum*), northern redbelly snake (*Storeria occipitomaculata occipitomaculata*), eastern garter snake (*Thamnophis sirtalis sirtalis*), eastern plains garter snake (*Thamnophis radix radix*), Butler's garter snake (*Thamnophis butleri*), shorthead garter snake (*Thamnophis brachystoma*), eastern ribbon snake (*Thamnophis sauritus sauritus*), northern ribbon snake (*Thamnophis sauritus septentrionalis*), eastern hognose snake (*Heterodon platirhinos*), eastern smooth earth snake (*Virginia valeriae valeriae*), northern ringneck snake (*Diadophis punctatus edwardsii*), midwest worm snake (*Carphophis amoenus helenae*), eastern worm snake (*Carphophis amoenus amoenus*), black racer (*Coluber constrictor constrictor*), blue racer (*Coluber constrictor foxii*), rough green snake (*Opheodrys aestivus*), smooth green snake (*Opheodrys vernalis vernalis*), black rat snake (*Elaphe obsoleta obsoleta*), eastern fox snake (*Elaphe vulpina gloydi*), black kingsnake (*Lampropeltis getula nigra*), eastern milk snake (*Lampropeltis triangulum triangulum*), northern copperhead (*Agkistrodon contortrix mokasen*), eastern massasauga (*Sistrurus catenatus catenatus*), and timber rattlesnake (*Crotalus horridus horridus*).

(XX) "Amphibians" includes eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*), mudpuppy (*Necturus maculosus maculosus*), red-spotted newt (*Notophthalmus viridescens viridescens*), Jefferson salamander (*Ambystoma jeffersonianum*), spotted salamander (*Ambystoma maculatum*), blue-spotted salamander (*Ambystoma laterale*), smallmouth salamander (*Ambystoma texanum*), streamside salamander (*Ambystoma barbouri*), marbled salamander (*Ambystoma opacum*), eastern tiger salamander (*Ambystoma tigrinum tigrinum*), northern dusky salamander (*Desmognathus fuscus fuscus*), mountain dusky salamander (*Desmognathus ochrophaeus*), redback salamander (*Plethodon cinereus*), ravine salamander (*Plethodon richmondi*), northern slimy salamander (*Plethodon glutinosus*), Wehrle's salamander (*Plethodon wehrlei*), four-toed salamander (*Hemidactylium scutatum*), Kentucky spring salamander (*Gyrinophilus porphyriticus duryi*), northern spring salamander (*Gyrinophilus porphyriticus porphyriticus*), mud salamander (*Pseudotriton montanus*), northern red salamander (*Pseudotriton ruber ruber*), green salamander (*Aneides aeneus*), northern two-lined salamander (*Eurycea bislineata*), longtail salamander (*Eurycea longicauda longicauda*), cave salamander (*Eurycea lucifuga*), southern two-lined salamander (*Eurycea cirrigera*), Fowler's toad (*Bufo woodhousii fowleri*), American toad (*Bufo americanus*), eastern spadefoot (*Scaphiopus holbrookii*), Blanchard's cricket frog (*Acris crepitans blanchardi*), northern spring peeper (*Pseudacris crucifer crucifer*), gray treefrog (*Hyla versicolor*), Cope's gray treefrog (*Hyla chrysoscelis*), western chorus frog (*Pseudacris triseriata triseriata*), mountain chorus frog (*Pseudacris brachyphona*), bullfrog (*Rana catesbeiana*), green frog (*Rana clamitans melanota*), northern leopard frog (*Rana pipiens*), pickerel frog (*Rana palustris*), southern leopard frog (*Rana utricularia*), and wood frog (*Rana sylvatica*).

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

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

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

Sec. 1711.09. Except as otherwise provided in this section, county agricultural societies, independent agricultural societies, and the Ohio expositions commission shall not permit during any fair, or for one week before or three days ~~thereafter~~ after any fair, any dealing in spirituous liquors, or at any time allow or tolerate immoral shows, lottery devices,

games of chance, or gambling of any kind, including pool selling and paddle wheels, anywhere on the fairground; and shall permit no person at any time to operate any side show, amusement, game, or device, or offer for sale any novelty by auction or solicitation, on ~~such the~~ fairground who has not first obtained from the director of agriculture ~~such a license as is provided by~~ under section 1711.11 of the Revised Code. This section does not prohibit the sale of lottery tickets by the state lottery commission pursuant to Chapter 3770. of the Revised Code at the state fairground during the state fair. In addition, a county or independent agricultural society may permit, at any time except during a fair or for one week before or three days ~~thereafter~~ after a fair, a charitable organization to conduct in accordance with Chapter 2915. of the Revised Code games of chance, ~~schemes of chance~~, or bingo on the fairground of a county with a population of ~~500,000~~ five hundred thousand or less. A charitable organization may lease all or part of the fairground from the agricultural society for that purpose.

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

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

Sec. 2915.01. As used in this chapter:

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

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

(C) "Scheme of chance" means a slot machine, lottery, numbers game, pool, or other scheme in which a participant gives a valuable consideration for a chance to win a prize, but does not include bingo.

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

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

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

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

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

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

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

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

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

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

(2) A violation of an existing or former municipal ordinance 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~~ firefighter'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 Revenue Code and that is created by a veteran's organization or a fraternal organization does not have to 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 (D) of section 2915.02 of the Revised Code.

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

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

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

(L) "Volunteer ~~fire fighter's~~ firefighter's organization" means any organization of volunteer ~~fire fighters~~ firefighters, as defined in section 146.01 of the Revised Code, that is organized and operated exclusively to provide financial support for a volunteer fire department or a volunteer fire company and that is recognized or ratified by a county, municipal corporation, or township.

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

(N) "Volunteer rescue service organization" means any organization of

volunteers organized to function as an emergency medical service organization, as defined in section 4765.01 of the Revised Code.

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

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

(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 by the participant Instant bingo, punch boards, and raffles.~~

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

(U) "Bingo game operator" means any person, except security personnel, who performs work or labor at the site of a bingo game, including, but not limited to, collecting money from participants, handing out bingo cards or sheets or objects to cover spaces on ~~the~~ bingo cards or

sheets, selecting from a receptacle the objects that contain the combination of letters and numbers that appear on the bingo cards or sheets, calling out the combinations of letters and numbers, distributing prizes to the winner of the bingo game, selling or redeeming instant bingo tickets or cards, supervising the operation of a punch board, selling raffle tickets, selecting raffle tickets from a receptacle and announcing the winning numbers in a raffle, and preparing, selling, and serving food or beverages.

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

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

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

(2) A period for the conduct of instant bingo and seal cards for not more than two hours before and not more than two hours after the period described in division (W)(1) of this section.

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

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

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

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

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

(Y) "Security personnel" includes any person who either is a sheriff, deputy sheriff, marshal, deputy marshal, township constable, or member of an organized police department of a municipal corporation or has

lly completed a peace officer's training course pursuant to sections 109.71 to 109.79 of the Revised Code and who is hired to provide security for the premises on which a bingo game is conducted.

(Z) "~~To use gross receipts for a charitable~~ Charitable purpose" means that the ~~proceeds net profit of the bingo game are, other than instant bingo,~~ is used by, or is given, donated, or otherwise transferred to, any of the following:

(1) 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; ~~that the proceeds of the bingo game are used by, or given, donated, or otherwise transferred to a~~

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

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

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

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

(BB) "Youth 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 twenty-one years of age or younger by means of sponsoring, organizing, operating, or contributing to the support of an athletic team, club, league, or association.

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

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

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

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

(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.

(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.

(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.

(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 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.

(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.

(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.

(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.

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

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

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

(1) The purchase or lease of bingo supplies;

(2) The annual license fee required under section 2915.08 of the Revised Code;

(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;

(4) Audits and accounting services;

(5) Safes;

(6) Cash registers;

(7) Hiring security personnel;

(8) Advertising bingo;

(9) Renting premises in which to conduct bingo:

(10) Tables and chairs:

(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.

(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.

(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.

(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.

(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 for use in this state.

(QQ) "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.

(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.

(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:

(1) It is activated upon the insertion of United States currency.

(2) It performs no gaming functions.

(3) It does not contain a video display monitor or generate noise.

(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations.

(5) It does not simulate or display rolling or spinning reels.

(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.

(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses.

(8) It is not part of an electronic network and is not interactive.

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

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

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

(c) It identifies a winning bingo pattern.

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

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

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

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

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

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

(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;~~

(b) The games of chance are 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;

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

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

(d) All of the money or assets received from the games of chance after deduction only of prizes paid out during the conduct of the games 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;

(e) The games of chance are 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.

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

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

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

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

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

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

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

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

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

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

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

- (1) The subject of a bet;
- (2) A contest of knowledge, skill, or endurance that is not an athletic or sporting event;
- (3) A scheme or game of chance;
- (4) Bingo.

(B) No person shall knowingly do any of the following:

- (1) Offer, give, solicit, or accept anything of value to corrupt the outcome of an athletic or sporting event;
- (2) Engage in conduct designed to corrupt the outcome of an athletic or sporting event.

(C)(1) Whoever violates division (A) of this section is guilty of

~~7. Except as otherwise provided in this division, cheating is~~ 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.

(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.

Sec. 2915.07. (A) No person, except a charitable organization that has obtained a ~~bingo~~ license pursuant to section 2915.08 of the Revised Code, shall conduct or advertise a bingo ~~game~~. This division does not apply to a raffle that a charitable organization conducts or advertises.

(B) Whoever violates this section is guilty of conducting ~~an~~ illegal bingo ~~game~~, a felony of the fourth degree.

Sec. 2915.08. (A)(1) Annually before the first day of January, a charitable organization that desires to conduct bingo ~~games~~, instant bingo at a bingo session, or instant bingo other than at a bingo session shall make out ~~and deliver to the attorney general~~, upon a form to be furnished by the attorney general for that purpose, an application for a license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session and deliver that application to the attorney general together with a license fee of one hundred as follows:

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

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

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

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

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

dollars:

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

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

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

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

(2) The application shall be in the form prescribed by the attorney general and, shall be signed and sworn to by the applicant-

The application, and shall contain all of the following:

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

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

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

(4)(d) A statement of the applicant's previous history, record, and association that is sufficient to establish that the applicant is a charitable organization, and a copy of a determination letter that is issued by the Internal Revenue Service and states that the organization is tax exempt 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;

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

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

;

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

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

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

~~(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 from rejecting the applicant's application because of acts that the applicant committed, or actions that the applicant failed to take, before or after the issuance of the temporary permit.

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

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

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

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

- (1) The issuance of the license;
- (2) The issuance of the amended license;
- (3) The rejection of an application for and refusal to grant a license;
- (4) The revocation of any license previously issued;
- (5) The suspension of any license previously issued.

(E) A ~~bingo~~ license issued by the attorney general shall set forth the information contained on the application of the charitable organization that the attorney general determines is relevant, including, but not limited to, the location at which the organization will conduct ~~the bingo game, instant bingo at a bingo session, or instant bingo other than at a bingo session~~ and the days of the week and the times on each of those days when a bingo ~~session~~ will be conducted. If the attorney general refuses to grant or revokes

or suspends a ~~bingo~~ license, the attorney general shall notify the applicant in writing and specifically identify the reason for the refusal, revocation, or suspension in narrative form and, if applicable, by identifying the section of the Revised Code violated. The failure of the attorney general to give the written notice of the reasons for the refusal, revocation, or suspension or a mistake in the written notice does not affect the validity of the attorney general's refusal to grant, or the revocation or suspension of, a ~~bingo~~ license. If the attorney general fails to give the written notice or if there is a mistake in the written notice, the applicant may bring an action to compel the attorney general to comply with this division or to correct the mistake, but the attorney general's order refusing to grant, or revoking or suspending, a ~~bingo~~ license shall not be enjoined during the pendency of the action.

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

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

(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:

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

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

(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.

(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.

(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.

(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.

(D) The attorney general shall not issue a distributor license to any person that is involved in the conduct of bingo on behalf of a charitable organization or that is a lessor of premises used for the conduct of bingo. This division does not prohibit a distributor from advising charitable organizations on the use and benefit of specific bingo supplies or prohibit a distributor from advising a customer on operational methods to improve bingo profitability.

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

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

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

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

(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.

(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.

(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.

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.

(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.

(C) The attorney general may refuse to issue a manufacturer 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:

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

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

(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.

(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.

(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 (F) of section 2915.10 of the Revised Code.

(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.

(D)(1) No manufacturer shall sell, offer to sell, or otherwise provide or offer to provide bingo supplies to any person for use in this state except to a distributor that has been issued a license under section 2915.081 of the Revised Code. No manufacturer shall accept payment for the sale of bingo supplies other than by check.

(2) No manufacturer 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.

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

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

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

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

(2) Use all of the gross receipts from ~~the~~ bingo ~~game~~ for paying prizes, ~~for the charitable purposes listed in its bingo license application~~ renting premises in which to conduct bingo, for purchasing or leasing bingo cards and other equipment supplies used in conducting the bingo game, for hiring security personnel for the bingo game, or for advertising the bingo game, or for other expenses listed in division (LL) of section 2915.01 of the Revised Code, provided that the amount of the receipts so spent is not more than is customary and reasonable for a similar purchase, lease, hiring, ~~or~~ advertising, ~~and for renting premises in which to conduct the bingo game, except that if or expense.~~ If the building in which the game bingo is conducted is owned by the charitable organization conducting the game bingo and the bingo conducted includes a form of bingo described in division (S)(1) of section 2915.01 of the Revised Code, the charitable organization may deduct from the total amount of the gross receipts from

each session a sum equal to the lesser of six hundred dollars or forty-five per cent of the gross receipts from the ~~session~~ bingo described in that division as consideration for the use of the premises;

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

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

(1) Conduct the bingo game on premises that are owned by the charitable organization, on premises that are owned by another charitable organization and leased from that charitable organization for a rental rate not in excess of ~~four~~ the lesser of six hundred ~~forty~~ fifty dollars per bingo session or forty-five per cent of the gross receipts of the bingo session, on premises that are leased from a person other than a charitable organization for a rental rate that is not more than is customary and reasonable for premises that are similar in location, size, and quality but not in excess of four hundred fifty dollars per bingo session, or on premises that are owned by a person other than a charitable organization, that are leased from that person by another charitable organization, and that are subleased from that other charitable organization by the charitable organization for a rental rate not in excess of four hundred fifty dollars per bingo session. If the charitable organization leases from a person other than a charitable organization the premises on which it conducts bingo ~~games~~ sessions, the lessor of the premises shall provide only the premises to the organization and shall not provide the organization with bingo game operators, security personnel, concessions or concession operators, bingo ~~equipment~~ supplies, or any other type of service or equipment. A charitable organization shall not lease or sublease premises that it owns or leases to more than one other charitable organization per calendar week for the purpose of conducting bingo ~~games~~ sessions on the premises. A person that is not a charitable organization shall not lease premises that it owns, leases, or otherwise is empowered to lease to more than one charitable organization per calendar week for conducting bingo ~~games~~ sessions on the premises. In no case shall more than two bingo sessions be conducted on any premises in any calendar week.

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

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

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

(1) Pay any compensation to a bingo game operator for operating a bingo ~~game~~ session that is conducted by the charitable organization or for preparing, selling, or serving food or beverages at the site of the bingo ~~game~~ session, permit any auxiliary unit or society of the charitable organization to pay compensation to any bingo game operator who prepares, sells, or serves food or beverages at a bingo session conducted by the charitable organization, or permit any auxiliary unit or society of the charitable organization to prepare, sell, or serve food or beverages at a bingo session conducted by the charitable organization, if the auxiliary unit or society pays any compensation to the bingo game operators who prepare, sell, or serve the food or beverages;

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

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

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

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

(6) Conduct a bingo session at any time during the ten-hour period between midnight and ten a.m., at any time during, or within ten hours of, a bingo game conducted for amusement only pursuant to section 2915.12 of the Revised Code, at any ~~location~~ premises not specified on its ~~bingo~~ license, or on any day of the week or during any time period not specified on its ~~bingo~~ license. If circumstances ~~beyond its control~~ make it ~~impossible~~ impractical for the charitable organization to conduct a bingo session at the ~~location~~ premises, or on the day of the week or at the time, specified on its ~~bingo~~ license or if a charitable organization wants to conduct bingo sessions on a day of the week or at a time other than the day or time specified on its ~~bingo~~ license, the charitable organization may apply in writing to the

attorney general for an amended ~~bingo~~ license; pursuant to division (F) of section 2915.08 of the Revised Code. A charitable organization may apply ~~only once~~ twice in each calendar year for an amended license to conduct bingo sessions on a day of the week or at a time other than the day or time specified on its ~~bingo~~ license. If the amended license is granted, the organization may conduct bingo sessions at the ~~location~~ premises, on the day of the week, and at the time specified on its amended license.

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

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

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

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

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

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

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

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

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

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

(vi) An electronic bingo aid cannot be used to provide for the input of numbers and letters announced by a bingo caller other than the bingo caller

who physically calls the numbers and letters at the location at which the bingo session is conducted and at which the electronic bingo aid is used.

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

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

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

~~(D)~~(E) Notwithstanding division ~~(A)(3)~~(B)(1) of this section, a charitable organization that, prior to December 6, 1977, has entered into written agreements for the lease of premises it owns to another charitable organization or other charitable organizations for the conducting of bingo sessions so that more than two bingo sessions are conducted per calendar week on the premises, and a person that is not a charitable organization and that, prior to December 6, 1977, has entered into written agreements for the lease of premises it owns to charitable organizations for the conducting of more than two bingo sessions per calendar week on the premises, may continue to lease the premises to those charitable organizations, provided that no more than four sessions are conducted per calendar week, that the lessor organization or person has notified the attorney general in writing of the organizations that will conduct the sessions and the days of the week and the times of the day on which the sessions will be conducted, that the initial lease entered into with each organization that will conduct the sessions was filed with the attorney general prior to December 6, 1977, and that each organization that will conduct the sessions was issued a license to conduct bingo games by the attorney general prior to December 6, 1977.

~~(E)~~(F) Whoever violates division (A)(2) of this section is guilty of illegally conducting a bingo game, a felony of the fourth degree. ~~Whoever~~

Except as otherwise provided in this division, whoever violates division (A)(1); or (3), ~~(4), or (5)~~; (B)(1), (2), or (3), or (C)(1) to (12), or (D) of this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of division (A)(1); or (3), ~~(4), or (5)~~; (B)(1), (2), or (3), or (C)(1) to (11), or, (D) of this section, a violation of division (A)(1); or (3), ~~(4), or (5)~~; (B)(1), (2), or (3), or (C), or (D) of this section is a misdemeanor of the first degree. Whoever violates division (C)(12) of this section is guilty of a misdemeanor of the first degree, if the offender previously has been convicted of a violation of division (C)(12) of this section, a felony of the fourth degree.

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

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

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

(a) That organization 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), is described in subsection 501(c)(3) of the Internal Revenue Code, is a charitable organization as defined in section 2915.01 of the Revised Code, is in good standing in the state pursuant to section 2915.08 of the Revised Code, and is in compliance with Chapter 1716. of the Revised Code;

(b) That organization 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), is described in subsection 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, and conducts instant bingo under section 2915.13 of the Revised Code.

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

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

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

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

(7) Sell an instant bingo ticket or card to a person under eighteen years

of age;

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

(9) Pay any compensation to a bingo game operator for conducting instant bingo that is conducted by the organization or for preparing, selling, or serving food or beverages at the site of the instant bingo game, permit any auxiliary unit or society of the organization to pay compensation to any bingo game operator who prepares, sells, or serves food or beverages at an instant bingo game conducted by the organization, or permit any auxiliary unit or society of the organization to prepare, sell, or serve food or beverages at an instant bingo game conducted by the organization, if the auxiliary unit or society pays any compensation to the bingo game operators who prepare, sell, or serve the food or beverages;

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

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

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

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

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

(15) Fail, once it opens a deal of instant bingo tickets or cards, to continue to sell the tickets or cards in that deal until the tickets or cards with the top two highest tiers of prizes in that deal are sold;

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

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

anization that is exempt from federal 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 is not limited in the number of separate locations the charitable organization may conduct instant bingo other than at a bingo session.

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

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

Sec. 2915.092. (A) A charitable organization may conduct a raffle to raise money for the charitable organization and does not need a license to conduct bingo in order to conduct a raffle drawing.

(B)(1) No charitable organization shall conduct a raffle unless the organization 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 is described in subsection 501(c)(3) of the Internal Revenue Code.

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

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

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

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

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

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

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

(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.

(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.

(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.

(F) A charitable instant bingo organization shall provide the attorney general with all of the following information:

(1) That the charitable instant bingo organization has terminated a contract entered into pursuant to division (C) of this section with an owner or lessor of a location;

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

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

Sec. 2915.094. (A) No owner or lessor of a location shall assist a charitable instant bingo organization in the conduct of instant bingo other than at a bingo session at that location unless the owner or lessor has entered into a written contract, as described in division (C) of section 2915.093 of

the Revised Code, with the charitable instant bingo organization to assist in the conduct of instant bingo other than at a bingo session.

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

(C) No owner or lessor of a location that enters into a written contract as prescribed in division (A) 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.

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

(E)(1) Whoever violates division (C) or (D) of this section is guilty of illegal instant bingo conduct. Except as otherwise provided in this division, illegal instant bingo conduct is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of division (C) or (D) of this section, illegal instant bingo conduct is a felony of the fifth degree.

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

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

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

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

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

(3) A list of all prizes awarded during ~~the each~~ bingo session ~~or scheme~~ ~~or, each raffle, each punch board game, and each~~ game of chance conducted by the charitable organization, the total prizes awarded from each game of instant bingo by serial number, and the name and address, and social security number of all persons who are winners of prizes of ~~one~~ six hundred dollars or more in value;

(4) An itemized list of the ~~charitable~~ recipients of the ~~proceeds net profit~~ of the bingo ~~session or scheme~~ or game of chance, including the name and address of each recipient to whom the money is distributed, and if the organization uses the ~~proceeds net profit~~ of a bingo ~~session~~, or the money or assets received from a ~~scheme or~~ game of chance, for any charitable or other purpose set forth in division (Z) of section 2915.01 ~~or~~ division (D) of section 2915.02, or section 2915.101 of the Revised Code, a list of each purpose and an itemized list of each expenditure for each purpose;

(5) The number of persons who participate in any bingo session ~~or scheme~~ or game of chance that is conducted by the charitable organization;

(6) A list of receipts from the sale of food and beverages by the charitable organization or one of its auxiliary units or societies, if the receipts were excluded from ~~the definition of~~ "gross receipts" under division (X) of section 2915.01 of the Revised Code;

(7) An itemized list of all expenses incurred at each bingo session, each raffle, each punch board game, or each game of instant bingo conducted by the charitable organization in the sale of food and beverages by the charitable organization or by an auxiliary unit or society of the charitable organization, the name of each person to whom the expenses are paid, and a receipt for all of the expenses.

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

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

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

(E) The attorney general may adopt rules in accordance with Chapter

119. of the Revised Code that establish standards of accounting, record keeping, and reporting to ensure that gross receipts from bingo or games of chance are properly accounted for.

(F) A distributor 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 to another person bingo supplies for use in this state. The record shall include all of the following for each instance:

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

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

(3) A description that clearly identifies the bingo supplies;

(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.

(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:

(1) The name and address of the distributor to whom the bingo supplies were sold or otherwise provided;

(2) A description that clearly identifies the bingo supplies, including serial numbers;

(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.

(H) The attorney general, or any ~~local~~ law enforcement agency, may do all of the following:

(1) Investigate any charitable organization or any officer, agent, trustee, member, or employee of the organization;

(2) Examine the accounts and records of the organization;

(3) Conduct inspections, audits, and observations of bingo ~~games or schemes~~ or games of chance ~~while they are in session~~;

(4) Conduct inspections of the premises where bingo ~~games or schemes~~ or games of chance are ~~operated~~ conducted;

(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~~ 2915.13 of the Revised Code has occurred and to determine whether section 2915.11 of the Revised Code has been complied with.

If any ~~local~~ law enforcement agency has reasonable grounds to believe

that a charitable organization or an officer, agent, trustee, member, or employee of the organization has violated any provision of this chapter, the ~~local~~ law enforcement agency may proceed by action in the proper court to enforce this chapter, provided that the ~~local~~ law enforcement agency shall give written notice to the attorney general when commencing an action as described in this division.

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

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

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

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

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

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

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

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

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

(B)(1) If a charitable organization other than a veteran's organization or

a fraternal organization conducted the instant bingo, the organization shall distribute the net profit as follows:

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

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

(2) If a charitable organization does not retain the full percentage specified in division (B)(1)(b) of this section for the purposes specified in that division, the organization shall distribute the balance of the net profit not retained for that purpose to an organization described in division (Z)(1) of section 2915.01 of the Revised Code.

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

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

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

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

~~(3)(c)~~ (c) 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;

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

(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 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.

~~(5)(e)~~ The number of players participating in the bingo game does not exceed fifty.

~~(B)(1)(2)(a)~~ 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; or sheet, objects to cover the spaces, or other devices used in playing bingo;.

~~(2)(b)~~ The total amount of money paid by all of the participants for bingo cards; or sheets, objects to cover the spaces, or other devices used in playing bingo does not exceed one hundred dollars;.

~~(3)(c)~~ All of the money paid for bingo cards; or sheets, objects to cover spaces, or other devices used in playing bingo ~~are~~ is used only to pay winners monetary and nonmonetary prizes and to provide refreshments;.

~~(4)(d)~~ The total value of all prizes awarded during the game does not exceed one hundred dollars;.

~~(5)(e)~~ 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;.

~~(6)(f)~~ The bingo game is not conducted during or within ten hours of either of the following:

~~(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.

(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.

(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.

(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.

(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.

(E) Whoever violates this section is guilty of illegal instant bingo conduct. Except as otherwise provided in this division, illegal instant bingo conduct is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section, illegal instant bingo conduct is a felony of the fifth degree.

Sec. 3763.01. (A) All promises, agreements, notes, bills, bonds, or other contracts, mortgages, or other securities, when the whole or part of the consideration thereof is for money or other valuable thing won or lost, laid,

staked, or betted at or upon a game of any kind, or upon a horse race or cockfights, sport or pastime, or on a wager, or for the repayment of money lent or advanced at the time of a game, play, or wager, for the purpose of being laid, betted, staked, or wagered, are void.

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

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

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

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 act.

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

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Am. Sub. H. B. No. 512

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Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____