

**As Introduced**

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

**H. B. No. 512**

**REPRESENTATIVES Husted, Faber, Setzer, Collier, Latta, Williams, Webster,  
Britton**

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**A B I L L**

To amend sections 173.121, 1531.01, 1711.09, 2915.01, 1  
2915.02, 2915.05, 2915.07 to 2915.10, 2915.12, 2  
3763.01, 4301.03, and 4303.17 and to enact sections 3  
2915.081, 2915.082, 2915.091, and 2915.092 of the 4  
Revised Code to define "bingo" to include bingo, 5  
instant bingo, seal cards, punch boards, and 6  
raffles; to create a license that authorizes 7  
charitable organizations to conduct bingo, instant 8  
bingo, seal cards, and punch boards; to require the 9  
licensing of manufacturers and distributors of 10  
bingo supplies; to regulate the conduct of instant 11  
bingo and raffles; to authorize charitable 12  
organizations that hold D-4 and D-5 liquor permits 13  
to conduct certain types of bingo and serve beer or 14  
intoxicating liquor at the same time; to increase 15  
the amount that certain charitable organizations 16  
may retain from gross receipts as consideration for 17  
use of the premises; to allow fraternal, civic, and 18  
veteran's organizations to use 45% of the net 19  
profits generated from instant bingo; and to make 20  
other changes in the Charitable Gambling Law. 21

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

**Section 1.** That sections 173.121, 1531.01, 1711.09, 2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 be amended and sections 2915.081, 2915.082, 2915.091, and 2915.092 of the Revised Code be enacted to read as follows:

**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 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 50  
accordance with section 173.12 of the Revised Code. 51

**Sec. 1531.01.** As used in this chapter and Chapter 1533. of 52  
the Revised Code: 53

(A) "Person" means individual, company, partnership, 54  
corporation, municipal corporation, association, or any 55  
combination of individuals, or any employee, agent, or officer 56  
thereof. 57

(B) "Resident" means any individual who has resided in this 58  
state for not less than six months next preceding the date of 59  
making application for a license. 60

(C) "Nonresident" means any individual who does not qualify 61  
as a resident. 62

(D) "Division rule" or "rule" means any rule adopted by the 63  
chief of the division of wildlife under section 1531.10 of the 64  
Revised Code unless the context indicates otherwise. 65

(E) "Closed season" means that period of time during which 66  
the taking of wild animals protected by this chapter and Chapter 67  
1533. of the Revised Code is prohibited. 68

(F) "Open season" means that period of time during which the 69  
taking of wild animals protected by this chapter and Chapter 1533. 70  
of the Revised Code is permitted. 71

(G) "Take or taking" includes pursuing, shooting, hunting, 72  
killing, trapping, angling, fishing with a trotline, or netting 73  
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 74  
wild bird, or wild quadruped, and any lesser act, such as 75  
wounding, or placing, setting, drawing, or using any other device 76  
for killing or capturing any wild animal, whether it results in 77  
killing or capturing the animal or not. "Take or taking" includes 78  
every attempt to kill or capture and every act of assistance to 79

any other person in killing or capturing or attempting to kill or capture a wild animal. 80  
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(H) "Possession" means both actual and constructive possession and any control of things referred to. 82  
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(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. 84  
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(J) "Transport and transportation" means carrying or moving or causing to be carried or moved. 87  
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(K) "Sell and sale" means barter, exchange, or offer or expose for sale. 89  
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(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. 91  
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(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. 95  
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(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. 103  
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(O) "Fish" means a cold-blooded vertebrate having fins. 106

(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail. 107  
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(Q) "Wild birds" includes game birds and nongame birds. 109

(R) "Game" includes game birds, game quadrupeds, and 110  
fur-bearing animals. 111

(S) "Game birds" includes mourning doves, ringneck pheasants, 112  
bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated 113  
grouse, wild turkey, Hungarian partridge, Chukar partridge, 114  
woodcocks, black-breasted plover, golden plover, Wilson's snipe or 115  
jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, 116  
duck, geese, brant, and crows. 117

(T) "Nongame birds" includes all other wild birds not 118  
included and defined as game birds. 119

(U) "Wild quadrupeds" includes game quadrupeds and 120  
fur-bearing animals. 121

(V) "Game quadrupeds" includes cottontail rabbits, gray 122  
squirrels, black squirrels, fox squirrels, red squirrels, flying 123  
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, 124  
wild boar, and black bears. 125

(W) "Fur-bearing animals" includes minks, weasels, raccoons, 126  
skunks, opossums, muskrats, fox, beavers, badgers, otters, 127  
coyotes, and bobcats. 128

(X) "Wild animals" includes mollusks, crustaceans, aquatic 129  
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, 130  
and all other wild mammals, but does not include domestic deer. 131

(Y) "Hunting" means pursuing, shooting, killing, following 132  
after or on the trail of, lying in wait for, shooting at, or 133  
wounding wild birds or wild quadrupeds while employing any device 134  
commonly used to kill or wound wild birds or wild quadrupeds 135  
whether or not the acts result in killing or wounding. "Hunting" 136  
includes every attempt to kill or wound and every act of 137  
assistance to any other person in killing or wounding or 138  
attempting to kill or wound wild birds or wild quadrupeds. 139

(Z) "Trapping" means securing or attempting to secure 140  
possession of a wild bird or wild quadruped by means of setting, 141  
placing, drawing, or using any device that is designed to close 142  
upon, hold fast, confine, or otherwise capture a wild bird or wild 143  
quadruped whether or not the means results in capture. "Trapping" 144  
includes every act of assistance to any other person in capturing 145  
wild birds or wild quadrupeds by means of the device whether or 146  
not the means results in capture. 147

(AA) "Muskrat spear" means any device used in spearing 148  
muskrats. 149

(BB) "Channels and passages" means those narrow bodies of 150  
water lying between islands or between an island and the mainland 151  
in Lake Erie. 152

(CC) "Island" means a rock or land elevation above the waters 153  
of Lake Erie having an area of five or more acres above water. 154

(DD) "Reef" means an elevation of rock, either broken or in 155  
place, or gravel shown by the latest United States chart to be 156  
above the common level of the surrounding bottom of the lake, 157  
other than the rock bottom, or in place forming the base or 158  
foundation rock of an island or mainland and sloping from the 159  
shore of it. "Reef" also means all elevations shown by that chart 160  
to be above the common level of the sloping base or foundation 161  
rock of an island or mainland, whether running from the shore of 162  
an island or parallel with the contour of the shore of an island 163  
or in any other way and whether formed by rock, broken or in 164  
place, or from gravel. 165

(EE) "Fur farm" means any area used exclusively for raising 166  
fur-bearing animals or in addition thereto used for hunting game, 167  
the boundaries of which are plainly marked as such. 168

(FF) "Waters" includes any lake, pond, reservoir, stream, 169  
channel, lagoon, or other body of water, or any part thereof, 170

whether natural or artificial.	171
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.	172 173
(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 (Carpiodes cyprinus), smelt (Allosmerus elongatus, Hypomesus sp., Osmerus sp., Spirinchus sp.), sturgeon (Acipenser sp., Scaphirhynchus sp.), sucker other than buffalo and quillback (Carpiodes 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.	174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195
(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.	196 197 198 199
(JJ) "Fillet" means the pieces of flesh taken or cut from both sides of a fish, joined to form one piece of flesh.	200 201

(KK) "Part fillet" means a piece of flesh taken or cut from one side of a fish.	202 203
(LL) "Round" when used in describing fish means with head and tail intact.	204 205
(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.	206 207 208 209
(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.	210 211 212 213
(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.	214 215 216 217 218 219
(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.	220 221 222 223
(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.	224 225 226 227
(RR) "Native wildlife" means any species of the animal kingdom indigenous to this state.	228 229
(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,	230 231



which is designed to entangle fish in the net openings as they swim into it. 232  
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(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.~~ 234  
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(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. 240  
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(VV) "Nonnative wildlife" means any wild animal not indigenous to this state, but does not include domestic deer. 245  
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(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* 247  
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erythrogaster neglecta), northern brown snake (Storeria dekayi	264
dekayi), midland brown snake (Storeria dekayi wrightorum),	265
northern redbelly snake (Storeria occipitomaculata	266
occipitomaculata), eastern garter snake (Thamnophis sirtalis	267
sirtalis), eastern plains garter snake (Thamnophis radix radix),	268
Butler's garter snake (Thamnophis butleri), shorthead garter snake	269
(Thamnophis brachystoma), eastern ribbon snake (Thamnophis	270
sauritus sauritus), northern ribbon snake (Thamnophis sauritus	271
septentrionalis), eastern hognose snake (Heterodon platirhinos),	272
eastern smooth earth snake (Virginia valeriae valeriae), northern	273
ringneck snake (Diadophis punctatus edwardsii), midwest worm snake	274
(Carphophis amoenus helenae), eastern worm snake (Carphophis	275
amoenus amoenus), black racer (Coluber constrictor constrictor),	276
blue racer (Coluber constrictor foxii), rough green snake	277
(opheodrys aestivus), smooth green snake (opheodrys vernalis	278
vernalis), black rat snake (Elaphe obsoleta obsoleta), eastern fox	279
snake (Elaphe vulpina gloydi), black kingsnake (Lampropeltis	280
getula nigra), eastern milk snake (Lampropeltis triangulum	281
triangulum), northern copperhead (Agkistrodon contortrix mokasen),	282
eastern massasauga (Sistrurus catenatus catenatus), and timber	283
rattlesnake (Crotalus horridus horridus).	284
(XX) "Amphibians" includes eastern hellbender (Cryptobranchus	285
alleganiensis alleganiensis), mudpuppy (Necturus maculosus	286
maculosus), red-spotted newt (Notophthalmus viridescens	287
viridescens), Jefferson salamander (Ambystoma jeffersonianum),	288
spotted salamander (Ambystoma maculatum), blue-spotted salamander	289
(Ambystoma laterale), smallmouth salamander (Ambystoma texanum),	290
streamside salamander (Ambystoma barbouri), marbled salamander	291
(Ambystoma opacum), eastern tiger salamander (Ambystoma tigrinum	292
tigrinum), northern dusky salamander (Desmognathus fuscus fuscus),	293
mountain dusky salamander (Desmognathus ochrophaeus), redback	294
salamander (Plethodon cinereus), ravine salamander (Plethodon	295

richmondi), northern slimy salamander (Plethodon glutinosus), 296  
Wehrle's salamander (Plethodon wehrlei), four-toed salamander 297  
(Hemidactylium scutatum), Kentucky spring salamander (Gyrinophilus 298  
porphyriticus duryi), northern spring salamander (Gyrinophilus 299  
porphyriticus porphyriticus), mud salamander (Pseudotriton 300  
montanus), northern red salamander (Pseudotriton ruber ruber), 301  
green salamander (Aneides aeneus), northern two-lined salamander 302  
(Eurycea bislineata), longtail salamander (Eurycea longicauda 303  
longicauda), cave salamander (Eurycea lucifuga), southern 304  
two-lined salamander (Eurycea cirrigera), Fowler's toad (Bufo 305  
woodhousii fowleri), American toad (Bufo americanus), eastern 306  
spadefoot (Scaphiopus holbrookii), Blanchard's cricket frog (Acris 307  
crepitans blanchardi), northern spring peeper (Pseudacris crucifer 308  
crucifer), gray treefrog (Hyla versicolor), Cope's gray treefrog 309  
(Hyla chrysoscelis), western chorus frog (Pseudacris triseriata 310  
triseriata), mountain chorus frog (Pseudacris brachyphona), 311  
bullfrog (Rana catesbeiana), green frog (Rana clamitans melanota), 312  
northern leopard frog (Rana pipiens), pickerel frog (Rana 313  
palustris), southern leopard frog (Rana utricularia), and wood 314  
frog (Rana sylvatica). 315

(YY) "Deer" means white-tailed deer (Odocoileus 316  
virginianus). 317

(ZZ) "Domestic deer" means nonnative deer that have been 318  
legally acquired or their offspring and that are held in private 319  
ownership for primarily agricultural purposes. 320

**Sec. 1711.09.** Except as otherwise provided in this section, 321  
county agricultural societies, independent agricultural societies, 322  
and the Ohio expositions commission shall not permit during any 323  
fair, or for one week before or three days ~~thereafter~~ after any 324  
fair, any dealing in spirituous liquors, or at any time allow or 325  
tolerate immoral shows, lottery devices, games of chance, or 326

gambling of any kind, including pool selling and paddle wheels, 327  
anywhere on the fairground; and shall permit no person at any time 328  
to operate any side show, amusement, game, or device, or offer for 329  
sale any novelty by auction or solicitation, on ~~such~~ the 330  
fairground who has not first obtained from the director of 331  
agriculture ~~such a license as is provided by~~ under section 1711.11 332  
of the Revised Code. This section does not prohibit the sale of 333  
lottery tickets by the state lottery commission pursuant to 334  
Chapter 3770. of the Revised Code at the state fairground during 335  
the state fair. In addition, a county or independent agricultural 336  
society may permit, at any time except during a fair or for one 337  
week before or three days ~~thereafter~~ after a fair, a charitable 338  
organization to conduct in accordance with Chapter 2915. of the 339  
Revised Code games of chance, ~~schemes of chance~~, or bingo on the 340  
fairground of a county with a population of ~~500,000~~ five hundred 341  
thousand or less. A charitable organization may lease all or part 342  
of the fairground from the agricultural society for that purpose. 343

Any sales of intoxicating liquor transacted on the fairground 344  
shall be subject to Chapters 4301., 4303., and 4399. of the 345  
Revised Code. 346

Any agricultural society that permits the sale of 347  
intoxicating liquor on its fairground shall apply any proceeds 348  
gained by ~~such~~ the society from the permit holder and from 349  
activities coincident to the sale of intoxicating liquor first to 350  
pay the cost of insurance on all buildings on ~~such~~ the fairground, 351  
and then for any other purpose authorized by law. 352

**Sec. 2915.01.** As used in this chapter: 353

(A) "Bookmaking" means the business of receiving or paying 354  
off bets. 355

(B) "Bet" means the hazarding of anything of value upon the 356  
result of an event, undertaking, or contingency, but does not 357

include a bona fide business risk. 358

(C) "Scheme of chance" means a lottery, numbers game, pool, 359  
or other scheme in which a participant gives a valuable 360  
consideration for a chance to win a prize, but does not include 361  
bingo. 362

(D) "Game of chance" means poker, craps, roulette, a slot 363  
machine, ~~a punch board~~, or other game in which a player gives 364  
anything of value in the hope of gain, the outcome of which is 365  
determined largely ~~or wholly~~ by chance, but does not include 366  
bingo. 367

(E) "~~Scheme or game~~ Game of chance conducted for profit" 368  
means any ~~scheme or~~ game of chance designed to produce income for 369  
the person who conducts or operates the ~~scheme or~~ game of chance, 370  
but does not include ~~a charitable~~ bingo ~~game~~. 371

(F) "Gambling device" means any of the following: 372

(1) A book, totalizer, or other equipment for recording bets; 373  
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(2) A ticket, token, or other device representing a chance, 375  
share, or interest in a scheme of chance, ~~except a charitable~~ 376  
~~bingo game~~, or evidencing a bet; 377

(3) A deck of cards, dice, gaming table, roulette wheel, slot 378  
machine, ~~punch board~~, or other apparatus designed for use in 379  
connection with a game of chance; 380

(4) Any equipment, device, apparatus, or paraphernalia 381  
specially designed for gambling purposes; 382

(5) Bingo supplies sold or otherwise provided, or used, in 383  
violation of this chapter. 384

(G) "Gambling offense" means any of the following: 385

(1) A violation of section 2915.02, 2915.03, 2915.04, 386

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; 387  
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(2) A violation of an existing or former municipal ordinance 389  
or law of this or any other state or the United States 390  
substantially equivalent to any section listed in division (G)(1) 391  
of this section or a violation of section 2915.06 of the Revised 392  
Code as it existed prior to ~~the effective date of this amendment~~ 393  
July 1, 1996; 394

(3) An offense under an existing or former municipal 395  
ordinance or law of this or any other state or the United States, 396  
of which gambling is an element; 397

(4) A conspiracy or attempt to commit, or complicity in 398  
committing, any offense under division (G)(1), (2), or (3) of this 399  
section. 400

(H) "Charitable organization" means any tax exempt religious, 401  
educational, veteran's, fraternal, service, nonprofit medical, 402  
volunteer rescue service, ~~volunteer fire fighter's~~ firefighter's, 403  
senior citizen's, youth athletic, amateur athletic, or youth 404  
athletic park organization. An organization is tax exempt if the 405  
organization is, and has received from the internal revenue 406  
service a determination letter that currently is in effect stating 407  
that the organization is, exempt from federal income taxation 408  
under subsection 501(a) and described in subsection 501(c)(3), 409  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 410  
Revenue Code. To qualify as a charitable organization, an 411  
organization, except a volunteer rescue service or volunteer ~~fire~~ 412  
~~fighter's~~ firefighter's organization, shall have been in 413  
continuous existence as such in this state for a period of two 414  
years immediately preceding either the making of an application 415  
for a ~~bingo~~ license under section 2915.08 of the Revised Code or 416  
the conducting of any ~~scheme of chance or~~ game of chance as 417  
provided in division ~~(C)~~(D) of section 2915.02 of the Revised 418

Code. 419

(I) "Religious organization" means any church, body of 420  
communicants, or group that is not organized or operated for 421  
profit and that gathers in common membership for regular worship 422  
and religious observances. 423

(J) "Educational organization" means any organization within 424  
this state that is not organized for profit, ~~the primary purpose~~ 425  
~~of which and that is~~ organized for educational purposes. As used 426  
in this division, "educational purposes" means to provide 427  
scholarships, to educate and develop the capabilities of 428  
individuals through instruction, ~~and that operates or to operate~~ 429  
~~or contributes~~ contribute to the support of a school, academy, 430  
college, or university. 431

(K) "Veteran's organization" means any individual post of a 432  
national veteran's association or an auxiliary unit of any 433  
individual post of a national veteran's association, which post or 434  
auxiliary unit has been incorporated as a nonprofit corporation 435  
for at least two years and has received a letter from the state 436  
headquarters of the national veteran's association indicating that 437  
the individual post or auxiliary unit is in good standing with the 438  
national veteran's association. As used in this division, 439  
"national veteran's association" means any veteran's association 440  
that has been in continuous existence as such for a period of at 441  
least ~~ten~~ five years and either is incorporated by an act of the 442  
United States congress or has a national dues-paying membership of 443  
at least five thousand persons. 444

(L) "Volunteer ~~fire fighter's~~ firefighter's organization" 445  
means any organization of volunteer ~~fire fighters~~ firefighters, as 446  
defined in section 146.01 of the Revised Code, that is organized 447  
and operated exclusively to provide financial support for a 448  
volunteer fire department or a volunteer fire company. 449

(M) "Fraternal organization" means any society, order, or 450

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~~ two years. As used in this division, "national or  
state organization" means an organization that has been in  
continuous existence as such for a period of at least five years  
and that has a national or state dues-paying membership, as  
applicable.

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(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.

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(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.

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(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.

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(Q) "Senior citizen's organization" means any private

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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 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

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section, that a predetermined and preannounced pattern of spaces  
has been covered on a bingo card or sheet being used by the  
participant.

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

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~~(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.~~

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~~(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.~~

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~~(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.~~

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~~(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, seal cards, punch boards, and  
raffles.~~

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(T) "Conduct" means to back, promote, organize, manage, carry 545  
on, or prepare for the operation of ~~a scheme~~ bingo or a game of 546  
chance ~~but does not include any act performed by a bingo game~~ 547  
~~operator.~~ 548

(U) "Bingo game operator" means any person, except security 549  
personnel, who performs work or labor at the site of ~~a bingo game,~~ 550  
including, but not limited to, collecting money from participants, 551  
handing out bingo cards or objects to cover spaces on ~~the~~ bingo 552  
cards, selecting from a receptacle the objects that contain the 553  
combination of letters and numbers that appear on ~~the~~ bingo cards, 554  
calling out the combinations of letters and numbers, distributing 555  
~~prizes to the winner of the bingo game,~~ selling instant bingo 556  
tickets or cards, including instant bingo tickets used in 557  
conjunction with a seal card, supervising the operation of a punch 558  
board, selling raffle tickets, selecting raffle tickets from a 559  
receptacle and announcing the winning numbers in a raffle, and 560  
preparing, selling, and serving food or beverages. 561

(V) "Participant" means any person who plays bingo ~~by~~ 562  
~~covering the spaces on a bingo card that correspond to~~ 563  
~~combinations of letters and numbers that are announced by a bingo~~ 564  
~~game operator.~~ 565

(W) "Bingo session" means a period, not to exceed five 566  
continuous hours, during which a person conducts one or more bingo 567  
games described in division (S)(1) of this section. 568

(X) "Gross receipts" means all money or assets, including 569  
admission fees, that a person receives from ~~a bingo session that~~ 570  
~~the person conducts~~ without the deduction of any amounts for 571  
prizes paid out ~~during the session~~ or for the expenses of 572  
conducting ~~the~~ bingo ~~session.~~ "Gross receipts" does not include 573  
any money directly taken in from the sale of food or beverages by 574  
a charitable organization conducting ~~a~~ bingo ~~session,~~ or by a bona 575  
fide auxiliary unit or society of a charitable organization, ~~at a~~ 576

~~bingo session conducted by the charitable organization conducting~~ 577  
~~bingo~~, provided all of the following apply: 578

(1) The auxiliary unit or society has been in existence as a 579  
bona fide auxiliary unit or society of the charitable organization 580  
for at least two years prior to ~~the~~ conducting bingo session. 581

(2) The person who purchases the food or beverage receives 582  
nothing of value except the food or beverage and items customarily 583  
received with the purchase of that food or beverage. 584

(3) The food and beverages are sold at customary and 585  
reasonable prices. 586

~~(4) No person preparing, selling, or serving the food or~~ 587  
~~beverages at the site of the bingo game receives directly or~~ 588  
~~indirectly any form of compensation for the preparation, sale, or~~ 589  
~~service of the food or beverages.~~ 590

(Y) "Security personnel" includes any person who either is a 591  
sheriff, deputy sheriff, marshal, deputy marshal, township 592  
constable, or member of an organized police department of a 593  
municipal corporation or has successfully completed a peace 594  
officer's training course pursuant to sections 109.71 to 109.79 of 595  
the Revised Code and who is hired to provide security for the 596  
premises on which a bingo ~~game~~ is conducted. 597

(Z)(1) ~~"To use gross receipts for a charitable~~ Charitable 598  
~~purpose" means that the proceeds net profit of the bingo game are~~ 599  
~~described in division (S)(1) of this section is~~ used by, or given, 600  
donated, or otherwise transferred to, any of the following: 601

(a) Any organization that is described in subsection 602  
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 603  
and is either a governmental unit or an organization that is tax 604  
exempt under subsection 501(a) and described in subsection 605  
501(c)(3) of the Internal Revenue Code; ~~that the proceeds of the~~ 606  
~~bingo game are used by, or given, donated, or otherwise~~ 607

~~transferred to a~~ 608

~~(b) A veteran's organization, as defined in division (K) of~~ 609  
~~this section, that is a post, chapter, or organization of war~~ 610  
~~veterans, or an auxiliary unit or society of, or a trust or~~ 611  
~~foundation for, any such post, chapter, or organization organized~~ 612  
~~in the United States or any of its possessions, at least~~ 613  
~~seventy-five per cent of the members of which are war veterans and~~ 614  
~~substantially all of the other members of which are individuals~~ 615  
~~who are veterans (but not war veterans) or are cadets, or are~~ 616  
~~spouses, widows, or widowers of war veterans, or such individuals,~~ 617  
~~provided that no part of the net earnings of such post or~~ 618  
~~organization inures to the benefit of any private shareholder or~~ 619  
~~individual, and further provided that the bingo game proceeds are~~ 620  
~~net profit is~~ used by the post or organization for the charitable 621  
purposes set forth in division (B)(12) of section 5739.02 of the 622  
Revised Code, ~~are is~~ used for awarding scholarships to or for 623  
attendance at an institution mentioned in division (B)(12) of 624  
section 5739.02 of the Revised Code, ~~are is~~ donated to a 625  
governmental agency, or ~~are is~~ used for nonprofit youth 626  
activities, the purchase of United States or Ohio flags that are 627  
donated to schools, youth groups, or other bona fide nonprofit 628  
organizations, promotion of patriotism, or disaster relief; ~~that~~ 629  
~~the proceeds of the bingo game are used by, or given, donated, or~~ 630  
~~otherwise transferred to a~~ 631

~~(c) A fraternal organization that has been in continuous~~ 632  
~~existence in this state for fifteen years for use~~ uses the net 633  
profit exclusively for religious, charitable, scientific, 634  
literary, or educational purposes, or for the prevention of 635  
cruelty to children or animals, and contributions for such use 636  
would qualify as a deductible charitable contribution under 637  
subsection 170 of the Internal Revenue Code; ~~or that the proceeds~~ 638  
~~of the bingo game are used by a~~ 639

(d) A volunteer fire fighter's firefighter's organization and 640  
are used by the organization that uses the net profit for the 641  
purposes set forth in division (L) of this section. 642

(2) "Charitable purpose" also means that the net profit of 643  
bingo described in division (S)(2) of this section, whether or not 644  
played in conjunction with bingo described in division (S)(1) of 645  
this section, is used, or is given, donated, or otherwise 646  
transferred, in the following manner in the percentages indicated: 647

(a) Not less than fifty-five per cent of the net profit is 648  
used for one or more of the charitable purposes listed in division 649  
(Z)(1) of this section; 650

(b) Not more than forty-five per cent of the net profit is 651  
used by, or is given, donated, or otherwise transferred to, a 652  
charitable organization that is exempt from federal income 653  
taxation under subsection 501(a) and described in subsection 654  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 655  
Revenue Code. 656

(AA) "Internal Revenue Code" means the "Internal Revenue Code 657  
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 658  
amended. 659

(BB) "Youth athletic organization" means any organization, 660  
not organized for profit, that is organized and operated 661  
exclusively to provide financial support to, or to operate, 662  
athletic activities for persons who are twenty-one years of age or 663  
younger by means of sponsoring, organizing, operating, or 664  
contributing to the support of an athletic team, club, league, or 665  
association. 666

(CC) "Youth athletic park organization" means any 667  
organization, not organized for profit, that satisfies both of the 668  
following: 669

(1) It owns, operates, and maintains playing fields that 670

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, 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.

(FF) "Instant bingo" means a form of bingo that uses folded or banded tickets or paper cards with perforated break-open tabs,

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a face of which is covered or otherwise hidden from view to 702  
conceal a number, letter, or symbol, or set of numbers, letters, 703  
or symbols, some of which have been designated in advance as prize 704  
winners. "Instant bingo" does not include any device activated by 705  
the insertion of a coin, currency, or an equivalent of either that 706  
contains as one of its components a video display monitor that is 707  
capable of displaying numbers, letters, symbols, or characters in 708  
winning or losing combinations. 709

(GG) "Seal card" means a ticket or card used in conjunction 710  
with instant bingo tickets or cards that contains one or more 711  
seals that, when removed or opened, reveal predesignated winning 712  
numbers, letters, or symbols. 713

(HH) "Raffle" means a form of bingo in which the one or more 714  
prizes are won by one or more persons who have purchased a raffle 715  
ticket. The one or more winners of the raffle are determined by 716  
drawing a ticket stub or other detachable section from a 717  
receptacle containing ticket stubs or detachable sections 718  
corresponding to all tickets sold for the raffle. 719

(II) "Punch board" means a board containing a number of holes 720  
or receptacles of uniform size in which are placed, mechanically 721  
and randomly, serially numbered slips of paper that may be punched 722  
or drawn from the hole or receptacle when used in conjunction with 723  
instant bingo. A player may punch or draw the numbered slips of 724  
paper from the holes or receptacles and obtain the prize 725  
established for the game if the number drawn corresponds to a 726  
winning number or, if the punch board includes the use of a seal 727  
card, a potential winning number. 728

(JJ) "Gross profit" means gross receipts minus the amount 729  
actually expended for the payment of prize awards. 730

(KK) "Net profit" means gross profit minus expenses. 731

(LL) "Expenses" means the reasonable amount of gross profit 732



<u>actually expended for all of the following:</u>	733
<u>(1) The purchase or lease of bingo supplies;</u>	734
<u>(2) The annual license fee required under section 2915.08 of</u> <u>the Revised Code;</u>	735 736
<u>(3) Bank fees and service charges for a bingo session or game</u> <u>account described in section 2915.10 of the Revised Code;</u>	737 738
<u>(4) Audits and accounting services;</u>	739
<u>(5) Safes;</u>	740
<u>(6) Cash registers;</u>	741
<u>(7) Hiring security peronnel;</u>	742
<u>(8) Advertising bingo;</u>	743
<u>(9) Renting premises in which to conduct bingo;</u>	744
<u>(10) Any other product or service directly related to the</u> <u>conduct of bingo that is authorized in rules adopted by the</u> <u>attorney general under division (B)(1) of section 2915.08 of the</u> <u>Revised Code.</u>	745 746 747 748
<u>(MM) "Person" has the same meaning as in section 1.59 of the</u> <u>Revised Code and includes any firm or any other legal entity,</u> <u>however organized.</u>	749 750 751
<u>(NN) "Revoke" means to void permanently all rights and</u> <u>privileges of the holder of a license issued under section</u> <u>2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable</u> <u>gaming license issued by another jurisdiction.</u>	752 753 754 755
<u>(OO) "Suspend" means to interrupt temporarily all rights and</u> <u>privileges of the holder of a license issued under section</u> <u>2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable</u> <u>gaming license issued by another jurisdiction.</u>	756 757 758 759
<u>(PP) "Distributor" means any person who purchases or obtains</u>	760

bingo supplies and who sells, offers for sale, or otherwise 761  
provides or offers to provide the bingo supplies to another person 762  
for use in this state. 763

(QQ) "Manufacturer" means any person who assembles completed 764  
bingo supplies from raw materials, other items, or subparts or who 765  
modifies, converts, adds to, or removes parts from bingo supplies 766  
to further their promotion or sale. 767

(RR) "Gross annual revenues" means the annual gross receipts 768  
derived from the conduct of bingo described in division (S)(1) of 769  
this section plus the annual net profit derived from the conduct 770  
of bingo described in division (S)(2) of this section. 771

(SS) "Instant bingo ticket dispenser" means a mechanical 772  
device that dispenses an instant bingo ticket or card as the sole 773  
item of value dispensed and that has or may have the following 774  
characteristics: 775

(1) It is activated upon the insertion of United States 776  
currency. 777

(2) It performs no gaming functions. 778

(3) It does not contain a video display monitor. 779

(4) It is not capable of displaying any numbers, letters, 780  
symbols, or characters in winning or losing combinations. 781

(5) It does not simulate or display rolling or spinning 782  
reels. 783

(6) It is incapable of determining whether a dispensed bingo 784  
ticket or card is a winning or nonwinning ticket or card. 785

(7) It may provide accounting and security features to aid in 786  
accounting for the instant bingo tickets or cards it dispenses. 787

**Sec. 2915.02.** (A) No person shall do any of the following: 788

(1) Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;	789 790
(2) Establish, promote, or operate or knowingly engage in conduct that facilitates any <del>scheme or</del> game of chance conducted for profit <u>or any scheme of chance</u> ;	791 792 793
(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 <del>scheme or</del> game of chance conducted for profit <u>or any scheme of chance</u> ;	794 795 796 797 798 799
(4) Engage in betting or in playing any scheme or game of chance, <del>except a charitable bingo game</del> , as a substantial source of income or livelihood;	800 801 802
(5) With purpose to violate division (A)(1), (2), (3), or (4) of this section, acquire, possess, control, or operate any gambling device.	803 804 805
(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 <del>scheme or</del> game of chance conducted for profit <u>or a scheme of chance</u> if the person in any way knowingly aids in the conduct or operation of any such <del>scheme or</del> game <u>or scheme</u> , including, without limitation, playing any such <del>scheme or</del> game <u>or scheme</u> .	806 807 808 809 810 811 812 813 814 815
(C) This section does not prohibit conduct in connection with gambling expressly permitted by law.	816 817
(D) This section does not apply to any of the following:	818

~~(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, 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 851  
or fraternal organization and that have been owned by the lessor 852  
veteran's or fraternal organization for a period of no less than 853  
one year immediately preceding the conducting of the games of 854  
chance. 855

A charitable organization shall not lease premises from a 856  
veteran's or fraternal organization to conduct a festival 857  
described in division (D)~~(2)~~(1)(c) of this section if the 858  
veteran's or fraternal organization already has leased the 859  
premises four times during the preceding year to charitable 860  
organizations for that purpose. If a charitable organization 861  
leases premises from a veteran's or fraternal organization to 862  
conduct a festival described in division (D)~~(2)~~(1)(c) of this 863  
section, the charitable organization shall not pay a rental rate 864  
for the premises per day of the festival that exceeds the rental 865  
rate per bingo session that a charitable organization may pay 866  
under division ~~(A)~~~~(3)~~(B)(1) of section 2915.09 of the Revised Code 867  
when it leases premises from another charitable organization to 868  
conduct bingo games. 869

(d) All of the money or assets received from the games of 870  
chance after deduction only of prizes paid out during the conduct 871  
of the games of chance are used by, or given, donated, or 872  
otherwise transferred to, any organization that is described in 873  
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 874  
Revenue Code and is either a governmental unit or an organization 875  
that is tax exempt under subsection 501(a) and described in 876  
subsection 501(c)(3) of the Internal Revenue Code; 877

(e) The games of chance are not conducted during, or within 878  
ten hours of, a bingo game conducted for amusement purposes only 879  
pursuant to section 2915.12 of the Revised Code. 880

No person shall receive any commission, wage, salary, reward, 881  
tip, donation, gratuity, or other form of compensation, directly 882

or indirectly, for operating or assisting in the operation of any  
~~scheme or game of chance.~~

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~~(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;

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

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(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.

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(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.

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**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:

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(1) The subject of a bet;

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

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(3) A scheme or game of chance;

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(4) Bingo.

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

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(1) Offer, give, solicit, or accept anything of value to  
corrupt the outcome of an athletic or sporting event;

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(2) Engage in conduct designed to corrupt the outcome of an

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athletic or sporting event.

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

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(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.

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**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.

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

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**Sec. 2915.08.** (A)~~(1)~~ Annually before the first day of January, a charitable organization that desires to conduct bingo ~~games~~ 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 and deliver that application to the attorney general together with a license fee ~~of one~~ as follows:

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(a) Two hundred fifty dollars or a for a charitable organization whose gross annual revenues are three hundred thousand dollars or less;

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(b) Five hundred dollars for a charitable organization whose gross annual revenues exceed three hundred thousand dollars but do not exceed six hundred thousand dollars; 940  
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(c) One thousand dollars for a charitable organization whose gross annual revenues exceed six hundred thousand dollars but do not exceed one million dollars; 943  
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(d) Two thousand dollars for a charitable organization whose gross annual revenues exceed one million dollars; 946  
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(e) A reduced license fee established by the attorney general pursuant to division (G) of this section. The 948  
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(2) The application shall be in the form prescribed by the attorney general and, shall be signed and sworn to by the applicant- 950  
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The application, and shall contain all of the following: 953

(1)(a) The name and post-office address of the applicant; 954

(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; 955  
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(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; 961  
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(4)(d) A statement of the applicant's previous history, record, and association that is sufficient to establish that the 968  
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applicant is a charitable organization, and a copy of a 970  
determination letter that is issued by the Internal Revenue 971  
Service and states that the organization is tax exempt under 972  
subsection 501(a) and described in subsection 501(c)(3), 973  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 974  
Revenue Code; 975

~~(5)~~(e) A statement as to whether the applicant has ever had 976  
any previous application refused, whether it previously has had a 977  
license revoked or suspended, and the reason stated by the 978  
attorney general for the refusal, revocation, or suspension; 979

~~(6)~~(f) A statement of the charitable ~~purpose~~ purposes for 980  
which the ~~bingo proceeds~~ net profit will be used; 981

~~(7)~~(g) Other necessary and reasonable information that the 982  
attorney general may require by rule adopted pursuant to section 983  
111.15 of the Revised Code; 984

~~(8)~~(h) If the applicant is a charitable trust as defined in 985  
section 109.23 of the Revised Code, a statement as to whether it 986  
has registered with the attorney general pursuant to section 987  
109.26 of the Revised Code or filed annual reports pursuant to 988  
section 109.31 of the Revised Code, and, if it is not required to 989  
do either, the exemption in section 109.26 or 109.31 of the 990  
Revised Code that applies to it; 991

~~(9)~~(i) If the applicant is a charitable organization as 992  
defined in section 1716.01 of the Revised Code, a statement as to 993  
whether it has filed with the attorney general a registration 994  
statement pursuant to section 1716.02 of the Revised Code and a 995  
financial report pursuant to section 1716.04 of the Revised Code, 996  
and, if it is not required to do both, the exemption in section 997  
1716.03 of the Revised Code that applies to it; 998

~~(10)~~(j) In the case of an applicant seeking to qualify as a 999  
youth athletic park organization ~~under division (CC) of section~~ 1000

~~2915.01 of the Revised Code~~, a statement issued by a board or body 1001  
vested with authority under Chapter 755. of the Revised Code for 1002  
the supervision and maintenance of recreation facilities in the 1003  
territory in which the organization is located, certifying that 1004  
the playing fields owned by the organization were used for at 1005  
least one hundred days during the year in which the statement is 1006  
issued, and were open for use to all residents of that territory, 1007  
regardless of race, color, creed, religion, sex, or national 1008  
origin, for athletic activities by youth athletic organizations, 1009  
~~as defined in division (BB) of section 2915.01 of the Revised~~ 1010  
~~Code~~, that do not discriminate on the basis of race, color, creed, 1011  
religion, sex, or national origin, and that the fields were not 1012  
used for any profit-making activity at any time during the year. 1013  
That type of board or body is authorized to issue the statement 1014  
upon request and shall issue the statement if it finds that the 1015  
applicant's playing fields were so used. 1016

(3) The attorney general, within thirty days after receiving 1017  
a timely filed application from a charitable organization that has 1018  
been issued a bingo license under this section that has not 1019  
expired and has not been revoked or suspended, shall send a 1020  
temporary permit to the applicant specifying the date on which the 1021  
application was filed with the attorney general and stating that, 1022  
pursuant to section 119.06 of the Revised Code, the applicant may 1023  
continue to conduct bingo ~~games~~ until a new license is granted or, 1024  
if the application is rejected, until fifteen days after notice of 1025  
the rejection is mailed to the applicant. The temporary permit 1026  
does not affect the validity of the applicant's application and 1027  
does not grant any rights to the applicant except those rights 1028  
specifically granted in section 119.06 of the Revised Code. The 1029  
issuance of a temporary permit by the attorney general pursuant to 1030  
this ~~paragraph~~ division does not prohibit the attorney general 1031  
from rejecting the applicant's application because of acts that 1032  
the applicant committed, or actions that the applicant failed to 1033

take, before or after the issuance of the temporary permit. 1034

(B)(1) The attorney general shall adopt rules to enforce 1035  
sections 2915.01, 2915.02, and 2915.07 to 2915.12 of the Revised 1036  
Code to ensure that bingo ~~games are~~ is conducted in accordance 1037  
with those sections, and to maintain proper control over the 1038  
conduct of bingo ~~games~~. The rules, except rules adopted pursuant 1039  
to ~~division~~ divisions (A)~~(7)~~(2)(g) and (G) of this section, shall 1040  
be adopted pursuant to Chapter 119. of the Revised Code. The 1041  
attorney general shall license charitable organizations to conduct 1042  
bingo ~~games~~ in conformance with this chapter and with the 1043  
licensing provisions of Chapter 119. of the Revised Code. 1044

(2) The attorney general may refuse to grant a ~~bingo~~ license 1045  
to any organization, or revoke or suspend the license of any 1046  
organization, that does any of the following or to which any of 1047  
the following applies: 1048

(a) Fails or has failed at any time to meet any requirement 1049  
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 1050  
2915.11 of the Revised Code, or violates or has violated any 1051  
provision of sections 2915.02 or 2915.07 to 2915.12 of the Revised 1052  
Code or any rule adopted by the attorney general pursuant to this 1053  
section; 1054

(b) Makes or has made an incorrect or false statement that is 1055  
material to the granting of the license in an application filed 1056  
pursuant to division (A) of this section; 1057

(c) Submits or has submitted any incorrect or false 1058  
information relating to an application if the information is 1059  
material to the granting of the license; 1060

(d) Maintains or has maintained any incorrect or false 1061  
information that is material to the granting of the license in the 1062  
records required to be kept pursuant to ~~division~~ divisions (A) and 1063  
(C) of section 2915.10 of the Revised Code, if applicable; 1064

(e) The attorney general has good cause to believe that the organization will not conduct ~~its~~ bingo ~~games~~ in accordance with sections ~~2915.02~~ and 2915.07 to 2915.12 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~~, 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~~ 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 1095  
applicant in writing and specifically identify the reason for the 1096  
refusal, revocation, or suspension in narrative form and, if 1097  
applicable, by identifying the section of the Revised Code 1098  
violated. The failure of the attorney general to give the written 1099  
notice of the reasons for the refusal, revocation, or suspension 1100  
or a mistake in the written notice does not affect the validity of 1101  
the attorney general's refusal to grant, or the revocation or 1102  
suspension of, a ~~bingo~~ license. If the attorney general fails to 1103  
give the written notice or if there is a mistake in the written 1104  
notice, the applicant may bring an action to compel the attorney 1105  
general to comply with this division or to correct the mistake, 1106  
but the attorney general's order refusing to grant, or revoking or 1107  
suspending, a ~~bingo~~ license shall not be enjoined during the 1108  
pendency of the action. 1109

(F) A charitable organization that has been issued a ~~bingo~~ 1110  
license pursuant to division (B) of this section but that cannot 1111  
conduct bingo ~~sessions~~ at the location, or on the day of the week 1112  
or the time, specified on the license due to circumstances beyond 1113  
its control may apply, without charge, in writing to the attorney 1114  
general for an amended ~~bingo~~ license. The application shall 1115  
describe in detail the causes making it impossible for the 1116  
organization to conduct ~~its~~ bingo ~~sessions~~ in conformity with its 1117  
license and shall indicate the location, days of the week, and 1118  
times on each of those days when it desires to conduct a bingo 1119  
~~session~~. If the attorney general approves the application for the 1120  
amended license, the attorney general shall issue the amended 1121  
license in accordance with division (E) of this section, and the 1122  
organization shall surrender its original license to the attorney 1123  
general. The attorney general shall refuse to grant an application 1124  
for an amended ~~bingo~~ license according to the terms of division 1125  
(B) of this section. 1126

(G) The attorney general, by rule adopted pursuant to section 1127  
111.15 of the Revised Code, shall establish a schedule of reduced 1128  
license fees for charitable organizations that desire to conduct 1129  
bingo ~~games~~ during fewer than twenty-six weeks in any calendar 1130  
year. 1131

(H) A charitable organization that has been issued a license 1132  
under this section may request the attorney general to provide it 1133  
with an explanation of a particular provision of this chapter, or 1134  
of Chapter 4301. or 4303. of the Revised Code, that pertains to 1135  
the attorney general's authority and potential enforcement actions 1136  
under that provision. If the attorney general receives a request 1137  
under this division for such an explanation, the attorney general 1138  
shall provide the explanation verbally or in writing to the 1139  
charitable organization that requested it. 1140

Sec. 2915.081. (A) No distributor shall sell, offer to sell, 1141  
or otherwise provide or offer to provide bingo supplies to another 1142  
person for use in this state without having obtained a license 1143  
from the attorney general under this section. 1144

(B) The attorney general may issue a distributor license to 1145  
any person that meets the requirements of this section. The 1146  
application for the license shall be on a form prescribed by the 1147  
attorney general and be accompanied by the annual fee prescribed 1148  
by this section. The license is valid for a period of one year, 1149  
and the annual fee for the license is two thousand five hundred 1150  
dollars. 1151

(C) The attorney general may refuse to issue a distributor 1152  
license to any person to which any of the following applies, or to 1153  
any person that has an officer, partner, or other person who has 1154  
an ownership interest of ten per cent or more and to whom any of 1155  
the following applies: 1156

(1) The person, officer, or partner has been convicted of a 1157

felony under the laws of this state, another state, or the United States. 1158  
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(2) The person, officer, or partner has been convicted of any gambling offense. 1160  
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(3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section or in a similar application submitted to a gambling licensing authority in another jurisdiction if the statement resulted in license revocation through administrative action in the other jurisdiction. 1162  
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(4) The person, officer, or partner has submitted any incorrect or false information relating to the application to the attorney general under this section, if the information is material to the granting of the license. 1169  
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(5) The person, officer, or partner has failed to correct any incorrect or false information that is material to the granting of the license in the records required to be maintained under division (E) of section 2915.10 of the Revised Code. 1173  
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(6) The person, officer, or partner has had a license related to gambling revoked or suspended under the laws of this state, another state, or the United States. 1177  
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(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. 1180  
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(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 1184  
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section. Except as otherwise provided in division (E)(1) of this 1189  
section, no distributor shall accept payment for the sale or other 1190  
provision of bingo supplies other than by check. 1191

A supplying distributor must receive a payment by check not 1192  
later than forty-five days after the date the supplying 1193  
distributor ships bingo supplies to a charitable organization or 1194  
other distributor. If a charitable organization or other 1195  
distributor fails to pay a supplying distributor within that 1196  
period, the supplying distributor shall notify the attorney 1197  
general. The attorney general then shall notify all distributors 1198  
that, until further notice, the delinquent charitable organization 1199  
or delinquent distributor shall purchase or lease bingo supplies 1200  
from them only by payment by certified check or money order. 1201

(2) No distributor shall provide a charitable organization 1202  
with free samples of instant bingo tickets or cards, punch boards, 1203  
or seal cards. 1204

(3) No distributor shall purchase bingo supplies for use in 1205  
this state from any person except from a manufacturer issued a 1206  
license under section 2915.082 of the Revised Code or from another 1207  
distributor issued a license under this section. Except as 1208  
otherwise provided in division (E)(3) of this section, no 1209  
distributor shall pay for purchased bingo supplies other than by 1210  
check. 1211

A supplying manufacturer or distributor must receive a 1212  
payment by check not later than forty-five days after the date the 1213  
supplying manufacturer or distributor ships bingo supplies to a 1214  
purchasing distributor. If a purchasing distributor fails to pay a 1215  
supplying manufacturer or distributor within that period, the 1216  
supplying manufacturer or distributor shall notify the attorney 1217  
general. The attorney general then shall notify all manufacturers 1218  
and distributors that, until further notice, the delinquent 1219  
distributor shall purchase bingo supplies from them only by cash 1220



payment by certified check or money order. 1221

(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. 1222  
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(G) Whoever violates division (A) or (E) of this section is guilty of illegally operating as a distributor. Except as otherwise provided in this division, illegally operating as a distributor is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of division (A) or (E) of this section, illegally operating as a distributor is a felony of the fifth degree. 1228  
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**Sec. 2915.082.** (A) No manufacturer shall sell, offer to sell, or otherwise provide or offer to provide bingo supplies for use in this state without having obtained a license from the attorney general under this section. 1235  
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(B) The attorney general may issue a manufacturer license to any person that meets the requirements of this section. The application for the license shall be on a form prescribed by the attorney general and be accompanied by the annual fee prescribed by this section. The license is valid for a period of one year, and the annual fee for the license is two thousand five hundred dollars. 1239  
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(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: 1246  
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(1) The person, officer, or partner has been convicted of a felony under the laws of this state, another state, or the United States. 1251  
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(2) The person, officer, or partner has been convicted of any gambling offense. 1254  
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(3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section or in a similar application submitted to a gambling licensing authority in another jurisdiction if the statement resulted in license revocation through administrative action in the other jurisdiction. 1256  
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(4) The person, officer, or partner has submitted any incorrect or false information relating to the application to the attorney general under this section, if the information is material to the granting of the license. 1263  
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(5) The person, officer, or partner has failed to correct any incorrect or false information that is material to the granting of the license in the records required to be maintained under division (F) of section 2915.10 of the Revised Code. 1267  
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(6) The person, officer, or partner has had a license related to gambling revoked or suspended under the laws of this state, another state, or the United States. 1271  
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(D) 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. Except as otherwise provided in this division, no manufacturer shall accept payment for the sale of bingo supplies other than by check. 1274  
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A manufacturer must receive a payment by check not later than forty-five days after the date the manufacturer ships the bingo 1280  
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supplies to a distributor. If the distributor fails to pay the 1282  
manufacturer within that period, the manufacturer shall notify the 1283  
attorney general. The attorney general then shall notify all 1284  
manufacturers that, until further notice, the delinquent 1285  
distributor shall purchase bingo supplies from them only by 1286  
payment by certified check or money order. 1287

(E) The attorney general may suspend or revoke a manufacturer 1288  
license for any of the reasons for which the attorney general may 1289  
refuse to issue a manufacturer license specified in division (C) 1290  
of this section or if the manufacturer holding the license 1291  
violates any provision of this chapter or any rule adopted by the 1292  
attorney general under this chapter. 1293

(F) Whoever violates division (A) or (D) of this section is 1294  
guilty of illegally operating as a manufacturer. Except as 1295  
otherwise provided in this division, illegally operating as a 1296  
manufacturer is a misdemeanor of the first degree. If the offender 1297  
previously has been convicted of a violation of division (A) or 1298  
(D) of this section, illegally operating as a manufacturer is a 1299  
felony of the fifth degree. 1300

**Sec. 2915.09.** (A) ~~A~~ No charitable organization that conducts 1301  
a bingo ~~game~~ shall fail to do all any of the following: 1302

(1) Own all of the equipment used to conduct ~~the~~ bingo ~~game~~ 1303  
or lease that equipment from a charitable organization that is 1304  
licensed to conduct a bingo ~~game~~ for a rental rate that is not 1305  
more than is customary and reasonable for that equipment; 1306

(2) Use all of the gross receipts from ~~the~~ bingo ~~game~~ for 1307  
paying prizes, for ~~the charitable purposes listed in its bingo~~ 1308  
~~license application~~ renting premises in which to conduct bingo, 1309  
for purchasing or leasing bingo ~~cards and other equipment supplies~~ 1310  
used in conducting ~~the~~ bingo ~~game~~, for hiring security personnel 1311  
~~for the bingo game, or for~~ advertising the bingo game, or for 1312

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 it 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+. If that charitable organization conducts bingo described in division (S)(2) of section 2915.01 of the Revised Code, but not simultaneously with any bingo described in division (S)(1) of that section, it may deduct a sum of no more than five per cent of the gross receipts 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 for a charitable purpose listed in its license application and described in division (Z) of section 2915.01 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 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 1345  
premises that are similar in location, size, and quality but not 1346  
in excess of four hundred fifty dollars per bingo session, or on 1347  
premises that are owned by a person other than a charitable 1348  
organization, that are leased from that person by another 1349  
charitable organization, and that are subleased from that other 1350  
charitable organization by the charitable organization for a 1351  
rental rate not in excess of four hundred fifty dollars per bingo 1352  
session. If the charitable organization leases from a person other 1353  
than a charitable organization the premises on which it conducts 1354  
bingo ~~games~~ sessions, the lessor of the premises shall provide 1355  
only the premises to the organization and shall not provide the 1356  
organization with bingo game operators, security personnel, 1357  
concessions or concession operators, bingo ~~equipment~~ supplies, or 1358  
any other type of service or equipment. A charitable organization 1359  
shall not lease or sublease premises that it owns or leases to 1360  
more than one other charitable organization per calendar week for 1361  
the purpose of conducting bingo ~~games~~ sessions on the premises. A 1362  
person that is not a charitable organization shall not lease 1363  
premises that it owns, leases, or otherwise is empowered to lease 1364  
to more than one charitable organization per calendar week for 1365  
conducting bingo ~~games~~ sessions on the premises. In no case shall 1366  
more than two bingo sessions be conducted on any premises in any 1367  
calendar week. 1368

~~(4)(2)~~ Display its ~~bingo~~ license conspicuously at the 1369  
~~location~~ premises where the bingo ~~game~~ session is conducted; 1370

~~(5)(3)~~ Conduct the bingo ~~game~~ session in accordance with the 1371  
definition of bingo set forth in division (S)(1) of section 1372  
2915.01 of the Revised Code. 1373

~~(B) A~~ (C) No charitable organization that conducts a bingo 1374  
game described in division (S)(1) of section 2915.01 of the 1375  
Revised Code shall ~~not~~ do any of the following: 1376

- (1) Pay any compensation to a bingo game operator for 1377  
operating a bingo ~~game~~ session that is conducted by the charitable 1378  
organization or for preparing, selling, or serving food or 1379  
beverages at the site of the bingo ~~game~~ session, permit any 1380  
auxiliary unit or society of the charitable organization to pay 1381  
compensation to any bingo game operator who prepares, sells, or 1382  
serves food or beverages at a bingo session conducted by the 1383  
charitable organization, or permit any auxiliary unit or society 1384  
of the charitable organization to prepare, sell, or serve food or 1385  
beverages at a bingo session conducted by the charitable 1386  
organization, if the auxiliary unit or society pays any 1387  
compensation to the bingo game operators who prepare, sell, or 1388  
serve the food or beverages; 1389
- (2) Pay consulting fees to any person for any services 1390  
performed in relation to the bingo ~~game~~ session; 1391
- (3) Pay concession fees to any person who provides 1392  
refreshments to the participants in the bingo ~~game~~ session; 1393
- (4) ~~Conduct~~ Except as otherwise provided in division (C)(4) 1394  
of this section, conduct more than two bingo sessions in any 1395  
seven-day period. ~~Except that a~~ A volunteer ~~fire fighter's~~ 1396  
firefighter's organization or a volunteer rescue service 1397  
organization that conducts not more than five bingo sessions in a 1398  
calendar year may conduct more than two bingo sessions in a 1399  
seven-day period after notifying the attorney general when it will 1400  
conduct the sessions~~+~~. 1401
- (5) Pay out more than three thousand five hundred dollars in 1402  
prizes during any bingo session that is conducted by the 1403  
charitable organization; 1404
- (6) Conduct a bingo session at any time during the ten-hour 1405  
period between midnight and ten a.m., at any time during, or 1406  
within ten hours of, a bingo game conducted for amusement only 1407

pursuant to section 2915.12 of the Revised Code, at any ~~location~~ 1408  
premises not specified on its ~~bingo~~ license, or on any day of the 1409  
week or during any time period not specified on its ~~bingo~~ license. 1410  
If circumstances beyond its control make it impossible for the 1411  
charitable organization to conduct a bingo session at the ~~location~~ 1412  
premises specified on its ~~bingo~~ license or if a charitable 1413  
organization wants to conduct bingo sessions on a day of the week 1414  
or at a time other than the day or time specified on its ~~bingo~~ 1415  
license, the charitable organization may apply in writing to the 1416  
attorney general for an amended ~~bingo~~ license, pursuant to 1417  
division (F) of section 2915.08 of the Revised Code. A charitable 1418  
organization may apply ~~only once~~ twice in each calendar year for 1419  
an amended license to conduct bingo sessions on a day of the week 1420  
or at a time other than the day or time specified on its ~~bingo~~ 1421  
license. If the amended license is granted, the organization may 1422  
conduct bingo sessions at the ~~location~~ premises, on the day of the 1423  
week, and at the time specified on its amended license. 1424

(7) Permit any person whom the charitable organization knows, 1425  
or should have known, is under the age of eighteen to work as a 1426  
bingo game operator; 1427

(8) Permit any person whom the charitable organization knows, 1428  
or should have known, has been convicted of a felony or gambling 1429  
offense in any jurisdiction to be a bingo game operator; 1430

(9) Permit the lessor of the premises on which the bingo 1431  
session is conducted, if the lessor is not a charitable 1432  
organization, to provide the charitable organization with bingo 1433  
game operators, security personnel, concessions, bingo ~~equipment~~ 1434  
supplies, or any other type of service or equipment; 1435

(10) Purchase or lease bingo supplies from any person except 1436  
a distributor issued a license under section 2915.081 of the 1437  
Revised Code. 1438

~~(C)~~ (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. 1471

~~(E)~~(F) Whoever violates division (A)(2) of this section is 1472  
guilty of illegally conducting a bingo game, a felony of the 1473  
fourth degree. ~~Whoever~~ Except as otherwise provided in this 1474  
division, whoever violates division (A)(1), ~~or (3), (4), or (5),~~ 1475  
(B)(1), (2), or (3), ~~or (C), or (D)~~ of this section is guilty of a 1476  
minor misdemeanor. If the offender previously has been convicted 1477  
of a violation of division (A)(1), ~~or (3), (4), or (5),~~ (B)(1), 1478  
(2), or (3), ~~or (C), or (D)~~ of this section, a violation of 1479  
division (A)(1), ~~or (3), (4), or (5),~~ (B)(1), (2), or (3), ~~or (C),~~ 1480  
or (D) of this section is a misdemeanor of the first degree. 1481

**Sec. 2915.091.** (A)(1) No charitable organization that 1482  
conducts instant bingo shall fail to comply with division (A) of 1483  
section 2915.09 of the Revised Code. 1484

(2) No charitable organization that conducts instant bingo 1485  
shall permit any person whom the charitable organization knows or 1486  
should have known has been convicted of a felony or gambling 1487  
offense in any jurisdiction to be a bingo game operator in the 1488  
conduct of instant bingo. 1489

(3) No charitable organization that conducts instant bingo, 1490  
seal card or punch board games, or a raffle shall purchase or 1491  
lease supplies used to conduct instant bingo, seal card or punch 1492  
board games, or the raffle from any person except a distributor 1493  
that has been issued a license under section 2915.081 of the 1494  
Revised Code. 1495

(4) A charitable organization may purchase or lease, and may 1496  
use, instant bingo ticket dispensers to sell instant bingo tickets 1497  
or cards. 1498

(B) A charitable organization may conduct instant bingo other 1499  
than at a bingo session. 1500

(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. No rule shall prohibit or limit the legal conduct of instant bingo by, or the number of instant bingo games being conducted by, charitable organizations.

(D) Whoever violates division (A)(1), (2), or (3) of this section or a rule adopted under division (C) 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)(1), (2), or (3) 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 does not need a license to conduct bingo, in order to conduct a raffle drawing on the premises it uses for its charitable programs.

(B) No person shall conduct a raffle drawing for a charitable organization on premises other than premises that the charitable organization uses for its charitable programs or fail to use, or give, donate, or otherwise transfer, the net profit from a raffle for a charitable purpose described in division (Z)(2) of section 2915.01 of the Revised Code.

(C) Whoever violates division (B) 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) of this section, illegal conduct of a 1532  
raffle is a felony of the fifth degree. 1533

**Sec. 2915.10.** (A) ~~A~~ No charitable organization that conducts 1534  
a bingo ~~session~~, or ~~scheme~~ or a game of chance pursuant to 1535  
division (D) of section 2915.02 of the Revised Code, shall fail to 1536  
maintain the following records for at least three years from the 1537  
date on which the bingo ~~session~~ or ~~scheme~~ or game of chance is 1538  
conducted: 1539

(1) An itemized list of the gross receipts of each bingo 1540  
~~session or scheme~~ or, each game of instant bingo by serial number, 1541  
each raffle, each punch board game, each seal card game, and each 1542  
game of chance; 1543

(2) An itemized list of all expenses, other than prizes, that 1544  
are incurred in conducting ~~the bingo session~~ or instant bingo by 1545  
serial number, the name of each person to whom the expenses are 1546  
paid, and a receipt for all of the expenses; 1547

(3) A list of all prizes awarded during ~~the~~ each bingo 1548  
~~session or scheme~~ or, each raffle, each punch board game, each 1549  
seal card game, and each game of chance conducted by the 1550  
charitable organization, the total prizes awarded from each game 1551  
of instant bingo by serial number, and the name ~~and~~, address, ~~and~~ 1552  
social security number of all persons who are winners of prizes of 1553  
~~one~~ six hundred dollars or more in value; 1554

(4) An itemized list of the charitable recipients of the 1555  
~~proceeds~~ net profit of the bingo ~~session~~ or ~~scheme~~ or game of 1556  
chance, including the name and address of each recipient to whom 1557  
the money is distributed, and if the organization uses the 1558  
~~proceeds~~ net profit of a bingo ~~session~~, or the money or assets 1559  
received from a ~~scheme~~ or game of chance, for any charitable 1560  
purpose set forth in division (Z) of section 2915.01 or division 1561  
(D) of section 2915.02 of the Revised Code, a list of each purpose 1562

and an itemized list of each expenditure for each purpose; 1563

(5) The number of persons who participate in any bingo 1564  
session ~~or scheme~~ or game of chance that is conducted by the 1565  
charitable organization; 1566

(6) A list of receipts from the sale of food and beverages by 1567  
the charitable organization or one of its auxiliary units or 1568  
societies, if the receipts were excluded from ~~the definition of~~ 1569  
"gross receipts" under division (X) of section 2915.01 of the 1570  
Revised Code; 1571

(7) An itemized list of all expenses incurred at each bingo 1572  
session, each raffle, each punch board game, each seal card game, 1573  
or each game of instant bingo by serial number conducted by the 1574  
charitable organization in the sale of food and beverages by the 1575  
charitable organization or by an auxiliary unit or society of the 1576  
charitable organization, the name of each person to whom the 1577  
expenses are paid, and a receipt for all of the expenses. 1578

(B) The gross profit from each bingo session or game 1579  
described in division (S)(1) or (2) of section 2915.01 of the 1580  
Revised Code shall be deposited into a checking account devoted 1581  
exclusively to the bingo session or game. Payments for allowable 1582  
expenses incurred in conducting the bingo session or game and 1583  
payments to charitable recipients of some or all of the net profit 1584  
of the bingo session or game shall be made only by checks drawn on 1585  
the bingo session or game account. 1586

(C) Each charitable organization shall conduct and record an 1587  
inventory of all of its bingo supplies as of the first day of 1588  
November of each year. 1589

(D) The attorney general may adopt rules in accordance with 1590  
Chapter 119. of the Revised Code that establish standards of 1591  
accounting, record keeping, and reporting to ensure that gross 1592  
receipts from bingo or games of chance are properly accounted for. 1593

(E) 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: 1594  
1595  
1596  
1597  
1598

(1) The name of the manufacturer from which the distributor purchased the bingo supplies and the date of the purchase; 1599  
1600

(2) The name and address of the charitable organization or other distributor to which the bingo supplies were sold or otherwise provided; 1601  
1602  
1603

(3) A description that clearly identifies the bingo supplies; 1604

(4) Invoices that include the serial numbers of all instant bingo tickets or cards sold or otherwise provided to each charitable organization. 1605  
1606  
1607

(F) 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: 1608  
1609  
1610  
1611  
1612

(1) The name and address of the distributor to whom the bingo supplies were sold or otherwise provided; 1613  
1614

(2) A description that clearly identifies the bingo supplies; 1615

(3) Invoices that include the serial numbers of all instant bingo tickets or cards sold or otherwise provided to each distributor. 1616  
1617  
1618

(G) The attorney general, or any local law enforcement agency, may do all of the following: 1619  
1620

(1) Investigate any charitable organization or any officer, agent, trustee, member, or employee of the organization; 1621  
1622

(2) Examine the accounts and records of the organization; 1623

(3) Conduct inspections, audits, and observations of bingo 1624  
~~games or schemes~~ or games of chance ~~while they are in session;~~ 1625

(4) Conduct inspections of the premises where bingo ~~games or~~ 1626  
~~schemes~~ or games of chance are ~~operated~~ conducted; 1627

(5) Take any other necessary and reasonable action to 1628  
determine if a violation of any provision of sections 2915.01, 1629  
~~2915.02, and 2915.07~~ to 2915.12 of the Revised Code has occurred 1630  
and to determine whether section 2915.11 of the Revised Code has 1631  
been complied with. 1632

If any local law enforcement agency has reasonable grounds to 1633  
believe that a charitable organization or an officer, agent, 1634  
trustee, member, or employee of the organization has violated any 1635  
provision of this chapter, the local law enforcement agency may 1636  
proceed by action in the proper court to enforce this chapter, 1637  
provided that the local law enforcement agency shall give written 1638  
notice to the attorney general when commencing an action as 1639  
described in this division. 1640

~~(C)~~(H) No person shall destroy, alter, conceal, withhold, or 1641  
deny access to any accounts or records of a charitable 1642  
organization that have been requested for examination, or 1643  
obstruct, impede, or interfere with any inspection, audit, or 1644  
observation of ~~a bingo game or scheme or a~~ game of chance or 1645  
premises where ~~a bingo game or scheme or a~~ game of chance is 1646  
~~operated~~ conducted, or refuse to comply with any reasonable 1647  
request of, or obstruct, impede, or interfere with any other 1648  
reasonable action undertaken by, the attorney general or a local 1649  
law enforcement agency pursuant to division ~~(B)~~(G) of this 1650  
section. 1651

~~(D)~~(I) Whoever violates division (A) or ~~(C)~~(H) of this 1652  
section is guilty of a misdemeanor of the first degree. 1653

Sec. 2915.12. Sections 2915.07 to 2915.11 of the Revised Code 1654  
do not apply to bingo games that are conducted for the purpose of 1655  
amusement only. A bingo game is conducted for the purpose of 1656  
amusement only if it complies with all of the requirements 1657  
specified in either division (A) or (B) of this section: 1658

(A)(1) The participants do not pay any money or any other 1660  
thing of value including an admission fee, or any fee for bingo 1661  
cards, or sheets, objects to cover the spaces, or other devices 1662  
used in playing bingo, for the privilege of participating in the 1663  
bingo game, or to defray any costs of the game, or pay tips or 1664  
make donations during or immediately before or after the bingo 1665  
game~~+~~. 1666

(2) All prizes awarded during the course of the game are 1667  
nonmonetary, and in the form of merchandise, goods, or 1668  
entitlements to goods or services only, and the total value of all 1669  
prizes awarded during the game is less than one hundred dollars~~+~~. 1670

(3) No commission, wages, salary, reward, tip, donation, 1671  
gratuity, or other form of compensation, either directly or 1672  
indirectly, and regardless of the source, is paid to any bingo 1673  
game operator for work or labor performed at the site of the bingo 1674  
game~~+~~. 1675

(4) The bingo game is not conducted either during or within 1676  
ten hours of any of the following: 1677

(a) A bingo session during which a charitable bingo game is 1678  
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1679  
Code; 1680

(b) A scheme or game of chance ~~other than a bingo game~~ 1681  
~~conducted pursuant to this section, or bingo described in division~~ 1682  
(S)(2) of section 2915.01 of the Revised Code. 1683

(5) The number of players participating in the bingo game 1684  
does not exceed fifty. 1685

(B)(1) The participants do not pay money or any other thing 1686  
of value as an admission fee, and no participant is charged more 1687  
than twenty-five cents to purchase a bingo card, or sheet, objects 1688  
to cover the spaces, or other devices used in playing bingo. 1689

(2) The total amount of money paid by all of the participants 1690  
for bingo cards, or sheets, objects to cover the spaces, or other 1691  
devices used in playing bingo does not exceed one hundred 1692  
dollars. 1693

(3) All of the money paid for bingo cards, or sheets, objects 1694  
to cover spaces, or other devices used in playing bingo ~~are~~ is 1695  
used only to pay winners monetary and nonmonetary prizes and to 1696  
provide refreshments. 1697

(4) The total value of all prizes awarded during the game 1698  
does not exceed one hundred dollars. 1699

(5) No commission, wages, salary, reward, tip, donation, 1700  
gratuity, or other form of compensation, either directly or 1701  
indirectly, and regardless of the source, is paid to any bingo 1702  
game operator for work or labor performed at the site of the bingo 1703  
game. 1704

(6) The bingo game is not conducted during or within ten 1705  
hours of either of the following: 1706

(a) A bingo session during which a charitable bingo game is 1707  
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1708  
Code; 1709

(b) A scheme of chance or game of chance ~~other than a bingo~~ 1710  
~~game conducted pursuant to this section, or bingo described in~~ 1711  
division (S)(2) of section 2915.01 of the Revised Code. 1712

(7) All of the participants reside at the premises where the 1713



bingo game is conducted<sub>7</sub>. 1714

(8) The bingo games are conducted on different days of the 1715  
week and not more than twice in a calendar week. 1716

(C) The attorney general<sub>7</sub> or any local law enforcement 1717  
agency<sub>7</sub> may investigate the conduct of a bingo game that 1718  
purportedly is conducted for purposes of amusement only if there 1719  
is reason to believe that the purported amusement bingo game does 1720  
not comply with the requirements of either division (A) or (B) of 1721  
this section. A local law enforcement agency may proceed by action 1722  
in the proper court to enforce this section if the local law 1723  
enforcement agency gives written notice to the attorney general 1724  
when commencing the action. 1725

**Sec. 3763.01.** (A) All promises, agreements, notes, bills, 1726  
bonds<sub>7</sub> or other contracts, mortgages, or other securities, when 1727  
the whole or part of the consideration thereof is for money or 1728  
other valuable thing won or lost, laid, staked, or betted at or 1729  
upon a game of any kind, or upon a horse race or cockfights, sport 1730  
or pastime, or on a wager, or for the repayment of money lent or 1731  
advanced at the time of a game, play, or wager, for the purpose of 1732  
being laid, betted, staked, or wagered, are void. 1733

(B) Sections 3763.01 to 3763.08 of the Revised Code do not 1734  
apply to ~~a charitable bingo game~~ as defined in ~~division (O)~~ of 1735  
section 2915.01 of the Revised Code or to any ~~scheme~~ or game of 1736  
chance that is not subject to criminal penalties under section 1737  
2915.02 of the Revised Code. 1738

**Sec. 4301.03.** The liquor control commission may adopt and 1739  
promulgate, repeal, rescind, and amend, in the manner required by 1740  
this section, rules, standards, requirements, and orders necessary 1741  
to carry out Chapters 4301. and 4303. of the Revised Code, but all 1742  
rules of the board of liquor control which were in effect 1743

immediately prior to April 17, 1963, shall remain in full force 1744  
and effect as rules of the liquor control commission until and 1745  
unless amended or repealed by the liquor control commission. The 1746  
rules of the commission may include the following: 1747

(A) Rules with reference to applications for and the issuance 1748  
of permits for the manufacture, distribution, transportation, and 1749  
sale of beer and intoxicating liquor, and the sale of alcohol; and 1750  
rules governing the procedure of the division of liquor control in 1751  
the suspension, revocation, and cancellation of ~~such~~ those 1752  
permits; 1753

(B) Rules and orders providing in detail for the conduct of 1754  
any retail business authorized under permits issued pursuant to 1755  
~~such~~ those chapters, with a view to ensuring compliance with ~~such~~ 1756  
those chapters and laws relative ~~thereto~~ to them, and the 1757  
maintenance of public decency, sobriety, and good order in any 1758  
place licensed under ~~such~~ those permits. No rule or order shall 1759  
prohibit the sale of lottery tickets issued pursuant to Chapter 1760  
3770. of the Revised Code by any retail business authorized under 1761  
permits issued pursuant to ~~such~~ that chapter. 1762

No rule or order shall prohibit pari-mutuel wagering on 1763  
simulcast horse races at a satellite facility that has been issued 1764  
a D liquor permit under Chapter 4303. of the Revised Code. No rule 1765  
or order shall prohibit a charitable organization that holds a D-4 1766  
or D-5 permit from selling or serving beer or intoxicating liquor 1767  
under its permit in a portion of its premises merely because that 1768  
portion of its premises is used ~~at other times for the~~ to conduct 1769  
~~of a charitable bingo game as described in division (S)(2) of~~ 1770  
section 2915.01 of the Revised Code. However, ~~such an organization~~ 1771  
~~shall not sell or serve beer or intoxicating liquor or permit beer~~ 1772  
~~or intoxicating liquor to be consumed or seen in the same location~~ 1773  
~~in its premises where a charitable bingo game is being conducted~~ 1774  
~~while the game is being conducted~~. As used in this division, 1775

"charitable organization" ~~has the same meaning as in division (H) of section 2915.01~~ and "charitable bingo game" ~~has~~ have the same meaning meanings as in ~~division (R) of that~~ section 2915.01 ~~of the Revised Code~~. No rule or order pertaining to visibility into the premises of a permit holder after the legal hours of sale shall be adopted or maintained by the commission.

(C) Standards, not in conflict with those prescribed by any law of this state or the United States, to secure the use of proper ingredients and methods in the manufacture of beer, malt liquor, mixed beverages, and wine to be sold within this state;

(D) Rules determining the nature, form, and capacity of all packages and bottles to be used for containing beer or intoxicating liquor except for spirituous liquor to be kept or sold, governing the form of all seals and labels to be used thereon on the packages and bottles, and requiring the label on every package, bottle, and container to state the ingredients in the contents and, except on malt beverages, the terms of weight, volume, or proof spirits, and whether the same is beer, wine, alcohol, or any intoxicating liquor except for spirituous liquor;

(E) Uniform rules governing all advertising with reference to the sale of beer and intoxicating liquor throughout the state and advertising upon and in the premises licensed for the sale of beer or intoxicating liquor;

(F) Rules restricting and placing conditions upon the transfer of permits;

(G) Rules and orders limiting the number of permits of any class within the state or within any political subdivision of the state; and, for such that purpose, adopting reasonable classifications of persons or establishments to which any authorized class of permits may be issued within any ~~such~~ political subdivision;

(H) Rules and orders with reference to sales of beer and 1807  
intoxicating liquor on Sundays and holidays and with reference to 1808  
the hours of the day during which and the persons to whom 1809  
intoxicating liquor of any class may be sold, and rules with 1810  
reference to the manner of sale; 1811

(I) Rules requiring permit holders buying beer and malt 1812  
beverages to pay, and permit holders selling beer and malt 1813  
beverages to collect, minimum cash deposits for kegs, cases, 1814  
bottles, or other returnable containers of ~~such~~ beer and malt 1815  
beverages; requiring the repayment, or credit therefor, of ~~such~~ 1816  
the minimum cash deposit charges upon the return of ~~such~~ empty 1817  
containers, and requiring the posting of such form of indemnity 1818  
or such other conditions with respect to the charging, collection, 1819  
and repayment of minimum cash deposit charges for returnable 1820  
containers of beer or malt beverages as are necessary to ensure 1821  
the return of ~~such~~ empty containers or the repayment upon ~~such~~ 1822  
their return of the minimum cash deposits paid ~~therefor.~~ for them; 1823

(J) Rules establishing the method by which alcohol products 1824  
may be imported for sale by wholesale distributors and the method 1825  
by which manufacturers and suppliers may sell alcohol products to 1826  
wholesale distributors. 1827

Every rule, standard, requirement, or order of the 1828  
commission, and every repeal, amendment, or rescission ~~thereof~~ of 1829  
them shall be posted for public inspection in the principal office 1830  
of the commission and the principal office of the division of 1831  
liquor control, and a certified copy ~~thereof~~ of them shall be 1832  
filed in the office of the secretary of state. An order applying 1833  
only to persons named ~~therein~~ in it shall be served on the persons 1834  
affected by personal delivery of a certified copy, or by mailing 1835  
~~such~~ a certified copy to each person affected ~~thereby~~ by it, or, 1836  
in the case of a corporation, to any officer or agent ~~thereof~~ of 1837  
the corporation upon whom a service of summons may be served in a 1838

civil action. The posting and filing required by this section 1839  
constitutes sufficient notice to all persons affected by ~~such a~~ 1840  
rule or order ~~which~~ that is not required to be served. General 1841  
rules of the commission promulgated pursuant to this section shall 1842  
be published in ~~such a~~ the manner ~~as~~ the commission determines. 1843

**Sec. 4303.17.** Permit D-4 may be issued to a club which has 1844  
been in existence for three years or more prior to the issuance of 1845  
~~such~~ the permit to sell beer and any intoxicating liquor to its 1846  
members only, in glass or container, for consumption on the 1847  
premises where sold. The fee for this permit is three hundred 1848  
seventy-five dollars. No such permit shall be granted or retained 1849  
until all elected officers of ~~such~~ the organization controlling 1850  
~~such~~ the club have filed with the division of liquor control a 1851  
statement certifying that ~~such~~ the club is operated in the 1852  
interest of the membership of a reputable organization, which is 1853  
maintained by a dues paying membership, setting forth the amount 1854  
of initiation fee and yearly dues. All such matters shall be 1855  
contained in a statement signed under oath and accompanied by a 1856  
surety bond in the sum of one thousand dollars. ~~Such~~ The bond 1857  
shall be declared forfeited in the full amount of the penal sum of 1858  
the bond for any false statement contained in ~~such~~ the 1859  
certificate, and the surety shall pay the amount of the bond to 1860  
the division. The roster of membership of a D-4 permit holder 1861  
shall be submitted under oath on the request of the superintendent 1862  
of liquor control. Any information acquired by the superintendent 1863  
or the division with respect to ~~such~~ that membership shall not be 1864  
open to public inspection or examination and may be divulged by 1865  
the superintendent and the division only in hearings before the 1866  
liquor control commission or in a court action in which the 1867  
division or the superintendent is named a party. 1868

The requirement that a club shall have been in existence for 1869  
three years in order to qualify for a D-4 permit does not apply to 1870

units of organizations chartered by congress or to a subsidiary 1871  
unit of a national fraternal organization if the parent 1872  
organization has been in existence for three years or more at the 1873  
time application for a permit is made by ~~such~~ the unit. 1874

No rule or order of the division or commission shall prohibit 1875  
a charitable organization that holds a D-4 permit from selling or 1876  
serving beer or intoxicating liquor under its permit in a portion 1877  
of its premises merely because that portion of its premises is 1878  
used ~~at other times~~ for the conduct of ~~a charitable bingo game~~ as 1879  
described in division (S)(2) of section 2915.01 of the Revised 1880  
Code. ~~However, such an organization shall not sell or serve beer~~ 1881  
~~or intoxicating liquor or permit beer or intoxicating liquor to be~~ 1882  
~~consumed or seen in the same location in its premises where a~~ 1883  
~~charitable bingo game is being conducted while the game is being~~ 1884  
~~conducted.~~ As used in this section, "charitable organization" ~~has~~ 1885  
~~the same meaning as in division (H) of section 2915.01 and~~ 1886  
~~"charitable bingo game" has~~ have the same meaning meanings as in 1887  
~~division (R) of that~~ section 2915.01 of the Revised Code. 1888

**Section 2.** That existing sections 173.121, 1531.01, 1711.09, 1889  
2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2915.10, 1890  
2915.12, 3763.01, 4301.03, and 4303.17 of the Revised Code are 1891  
hereby repealed. 1892

**Section 3.** Section 2915.09 of the Revised Code is presented 1893  
in this act as a composite of the section as amended by both Am. 1894  
Sub. S.B. 70 and Am. Sub. S.B. 2 of the 121st General Assembly. 1895  
The General Assembly, applying the principle stated in division 1896  
(B) of section 1.52 of the Revised Code that amendments are to be 1897  
harmonized if reasonably capable of simultaneous operation, finds 1898  
that the composite is the resulting version of the section in 1899  
effect prior to the effective date of the section as presented in 1900  
this act. 1901