

## As Passed by the House

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

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

**REPRESENTATIVES Husted, Faber, Setzer, Collier, Latta, Williams, Webster,  
Britton, Lendrum, Niehaus, Evans, Flannery, Latell, Coates, Schaffer, Carano,  
Otterman, Sferra, Raga, Jolivette, G. Smith, Core, Wolpert, Peterson, Seitz,  
Kearns, Young, Cirelli, Willamowski**

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### **A B I L L**

To amend sections 109.32, 173.121, 1531.01, 1711.09,	1
2915.01, 2915.02, 2915.05, 2915.07 to 2915.10,	2
2915.12, 3763.01, 4301.03, and 4303.17 and to enact	3
sections 2915.081, 2915.082, 2915.091, 2915.092,	4
and 2915.101 of the Revised Code to define "bingo"	5
to include bingo, instant bingo, punch boards, and	6
raffles; to create a license that authorizes	7
charitable organizations to conduct bingo, instant	8
bingo, and punch boards; to require the licensing	9
of manufacturers and distributors of bingo	10
supplies; to regulate the conduct of instant bingo	11
and raffles; to authorize charitable organizations	12
to conduct certain types of bingo at D liquor	13
permit premises; to increase the amount that	14
certain charitable organizations may retain from	15
gross receipts as consideration for use of the	16
premises; and to make other changes in the	17
Charitable Gambling Law.	18

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

**Section 1.** That sections 109.32, 173.121, 1531.01, 1711.09, 19  
2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2915.10, 20  
2915.12, 3763.01, 4301.03, and 4303.17 be amended and sections 21  
2915.081, 2915.082, 2915.091, 2915.092, and 2915.101 of the 22  
Revised Code be enacted to read as follows: 23

**Sec. 109.32.** All annual filing fees obtained by the attorney 24  
general pursuant to section 109.31 of the Revised Code, all 25  
receipts obtained from the sale of the charitable law foundations 26  
directory, ~~and~~ all registration fees received by the attorney 27  
general, bond forfeitures, awards of costs and attorney's fees, 28  
and civil penalties assessed under Chapter 1716. of the Revised 29  
Code, and all license fees received by the attorney general under 30  
section 2915.08, 2915.081, or 2915.082 of the Revised Code shall 31  
be paid into the state treasury to the credit of the charitable 32  
law fund. The charitable law fund shall be used insofar as its 33  
moneys are available for the expenses of the charitable law 34  
section of the office of the attorney general, except that all 35  
annual license fees that are received by the attorney general 36  
under section 2915.08 of the Revised Code and that are credited to 37  
the fund shall be used by the attorney general, or any local law 38  
enforcement agency in cooperation with the attorney general, for 39  
the purposes specified in division (G) of section 2915.10 of the 40  
Revised Code. The expenses of the charitable law section in excess 41  
of moneys available in the charitable law fund shall be paid out 42  
of regular appropriations to the office of the attorney general. 43

**Sec. 173.121.** (A) As used in this section, "bingo," "bingo 45  
game operator," and "participant" have the same meanings as in 46  
section 2915.01 of the Revised Code. 47

(B) Notwithstanding sections 2915.07 to 2915.12 of the 48

Revised Code, a multipurpose senior center may conduct bingo games  
described in division (S)(1) of section 2915.01 of the Revised  
Code, but only if it complies with all of the following  
requirements:

(1) All bingo games are conducted only on the premises of the  
facility~~+~~.

(2) All participants are sixty years of age or older~~+~~.

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

(4) No participant is charged an admission fee~~,~~ and no  
participant is charged more than twenty-five cents to purchase a  
bingo card or ~~a card, sheet, or other device described in division~~  
~~(S)(2)(a) of section 2915.01 of the Revised Code~~+~~.~~

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

(a) To pay winners monetary or nonmonetary prizes;

(b) To provide refreshments;

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

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

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

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

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

state for not less than six months next preceding the date of 77  
making application for a license. 78

(C) "Nonresident" means any individual who does not qualify 79  
as a resident. 80

(D) "Division rule" or "rule" means any rule adopted by the 81  
chief of the division of wildlife under section 1531.10 of the 82  
Revised Code unless the context indicates otherwise. 83

(E) "Closed season" means that period of time during which 84  
the taking of wild animals protected by this chapter and Chapter 85  
1533. of the Revised Code is prohibited. 86

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

(G) "Take or taking" includes pursuing, shooting, hunting, 90  
killing, trapping, angling, fishing with a trotline, or netting 91  
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 92  
wild bird, or wild quadruped, and any lesser act, such as 93  
wounding, or placing, setting, drawing, or using any other device 94  
for killing or capturing any wild animal, whether it results in 95  
killing or capturing the animal or not. "Take or taking" includes 96  
every attempt to kill or capture and every act of assistance to 97  
any other person in killing or capturing or attempting to kill or 98  
capture a wild animal. 99

(H) "Possession" means both actual and constructive 100  
possession and any control of things referred to. 101

(I) "Bag limit" means the number, measurement, or weight of 102  
any kind of crayfish, aquatic insects, fish, frogs, turtles, wild 103  
birds, and wild quadrupeds permitted to be taken. 104

(J) "Transport and transportation" means carrying or moving 105  
or causing to be carried or moved. 106

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

(L) "Whole to include part" means that every provision  
relating to any wild animal protected by this chapter and Chapter  
1533. of the Revised Code applies to any part of the wild animal  
with the same effect as it applies to the whole.

(M) "Angling" means fishing with not more than two hand  
lines, not more than two units of rod and line, or a combination  
of not more than one hand line and one rod and line, either in  
hand or under control at any time while fishing. The hand line or  
rod and line shall have attached to it not more than three baited  
hooks, not more than three artificial fly rod lures, or one  
artificial bait casting lure equipped with not more than three  
sets of three hooks each.

(N) "Trotline" means a device for catching fish that consists  
of a line having suspended from it, at frequent intervals,  
vertical lines with hooks attached.

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

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

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

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

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

(T) "Nongame birds" includes all other wild birds not

included and defined as game birds.	137
(U) "Wild quadrupeds" includes game quadrupeds and	138
fur-bearing animals.	139
(V) "Game quadrupeds" includes cottontail rabbits, gray	140
squirrels, black squirrels, fox squirrels, red squirrels, flying	141
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer,	142
wild boar, and black bears.	143
(W) "Fur-bearing animals" includes minks, weasels, raccoons,	144
skunks, opossums, muskrats, fox, beavers, badgers, otters,	145
coyotes, and bobcats.	146
(X) "Wild animals" includes mollusks, crustaceans, aquatic	147
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds,	148
and all other wild mammals, but does not include domestic deer.	149
(Y) "Hunting" means pursuing, shooting, killing, following	150
after or on the trail of, lying in wait for, shooting at, or	151
wounding wild birds or wild quadrupeds while employing any device	152
commonly used to kill or wound wild birds or wild quadrupeds	153
whether or not the acts result in killing or wounding. "Hunting"	154
includes every attempt to kill or wound and every act of	155
assistance to any other person in killing or wounding or	156
attempting to kill or wound wild birds or wild quadrupeds.	157
(Z) "Trapping" means securing or attempting to secure	158
possession of a wild bird or wild quadruped by means of setting,	159
placing, drawing, or using any device that is designed to close	160
upon, hold fast, confine, or otherwise capture a wild bird or wild	161
quadruped whether or not the means results in capture. "Trapping"	162
includes every act of assistance to any other person in capturing	163
wild birds or wild quadrupeds by means of the device whether or	164
not the means results in capture.	165
(AA) "Muskrat spear" means any device used in spearing	166
muskrats.	167

(BB) "Channels and passages" means those narrow bodies of 168  
water lying between islands or between an island and the mainland 169  
in Lake Erie. 170

(CC) "Island" means a rock or land elevation above the waters 171  
of Lake Erie having an area of five or more acres above water. 172  
173

(DD) "Reef" means an elevation of rock, either broken or in 174  
place, or gravel shown by the latest United States chart to be 175  
above the common level of the surrounding bottom of the lake, 176  
other than the rock bottom, or in place forming the base or 177  
foundation rock of an island or mainland and sloping from the 178  
shore of it. "Reef" also means all elevations shown by that chart 179  
to be above the common level of the sloping base or foundation 180  
rock of an island or mainland, whether running from the shore of 181  
an island or parallel with the contour of the shore of an island 182  
or in any other way and whether formed by rock, broken or in 183  
place, or from gravel. 184

(EE) "Fur farm" means any area used exclusively for raising 185  
fur-bearing animals or in addition thereto used for hunting game, 186  
the boundaries of which are plainly marked as such. 187

(FF) "Waters" includes any lake, pond, reservoir, stream, 188  
channel, lagoon, or other body of water, or any part thereof, 189  
whether natural or artificial. 190

(GG) "Crib" or "car" refers to that particular compartment of 191  
the net from which the fish are taken when the net is lifted. 192

(HH) "Commercial fish" means those species of fish permitted 193  
to be taken, possessed, bought, or sold unless otherwise 194  
restricted by the Revised Code or division rule and are alewife 195  
(*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), bowfin 196  
(*Amia calva*), burbot (*Lota lota*), carp (*Cyprinus carpio*), 197  
smallmouth buffalo (*Ictiobus bubalus*), bigmouth buffalo (*Ictiobus* 198

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 (*Carpionides cyprinus*), smelt  
(*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus*  
sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other  
than buffalo and quillback (*Carpionides* sp., *Catostomus* sp.,  
*Hypentelium* sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone*  
*chrysops*), white perch (*Roccus americanus*), and yellow perch  
(*Perca flavescens*). When the common name of a fish is used in this  
chapter or Chapter 1533. of the Revised Code, it refers to the  
fish designated by the scientific name in this definition.

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

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

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

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

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

(NN) "Spreader bar" means a brail or rigid bar placed across



the entire width of the back, at the top and bottom of the cars in 230  
all trap, crib, and fyke nets for the purpose of keeping the 231  
meshes hanging squarely while the nets are fishing. 232

(OO) "Fishing guide" means any person who, for consideration 233  
or hire, operates a boat, rents, leases, or otherwise furnishes 234  
angling devices, ice fishing shanties or shelters of any kind, or 235  
other fishing equipment, and accompanies, guides, directs, or 236  
assists any other person in order for the other person to engage 237  
in fishing. 238

(PP) "Net" means fishing devices with meshes composed of 239  
twine or synthetic material and includes, but is not limited to, 240  
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 241  
seines, except minnow seines and minnow dip nets. 242

(QQ) "Commercial fishing gear" means seines, trap nets, fyke 243  
nets, dip nets, carp aprons, trotlines, other similar gear, and 244  
any boat used in conjunction with that gear, but does not include 245  
gill nets. 246

(RR) "Native wildlife" means any species of the animal 247  
kingdom indigenous to this state. 248

(SS) "Gill net" means a single section of fabric or netting 249  
seamed to a float line at the top and a lead line at the bottom, 250  
which is designed to entangle fish in the net openings as they 251  
swim into it. 252

(TT) "Tag fishing tournament" means a contest in which a 253  
participant pays a fee, or gives other valuable consideration, for 254  
a chance to win a prize by virtue of catching a tagged or 255  
otherwise specifically marked fish within a limited period of 256  
time, ~~but does not include a scheme of chance conducted under~~ 257  
~~division (D)(1) of section 2915.02 of the Revised Code.~~ 258

(UU) "Tenant" means an individual who resides on land for 259  
which the individual pays rent and whose annual income is 260

primarily derived from agricultural production conducted on that 261  
land, as "agricultural production" is defined in section 929.01 of 262  
the Revised Code. 263

(VV) "Nonnative wildlife" means any wild animal not 264  
indigenous to this state, but does not include domestic deer. 265

(WW) "Reptiles" includes common musk turtle (*sternotherus* 266  
*odoratus*), common snapping turtle (*Chelydra serpentina* 267  
*serpentina*), spotted turtle (*Clemmys guttata*), eastern box turtle 268  
(*Terrapene carolina carolina*), Blanding's turtle (*Emydoidea* 269  
*blandingii*), common map turtle (*Graptemys geographica*), ouachita 270  
map turtle (*Graptemys pseudogeographica ouachitensis*), midland 271  
painted turtle (*Chrysemys picta marginata*), red-eared slider 272  
(*Trachemys scripta elegans*), eastern spiny softshell turtle 273  
(*Apalone spinifera spinifera*), midland smooth softshell turtle 274  
(*Apalone mutica mutica*), northern fence lizard (*Sceloporus* 275  
*undulatus hyacinthinus*), ground skink (*Scincella lateralis*), 276  
five-lined skink (*Eumeces fasciatus*), broadhead skink (*Eumeces* 277  
*laticeps*), northern coal skink (*Eumeces anthracinus anthracinus*), 278  
European wall lizard (*Podarcis muralis*), queen snake (*Regina* 279  
*septemvittata*), Kirtland's snake (*Clonophis kirtlandii*), northern 280  
water snake (*Nerodia sipedon sipedon*), Lake Erie watersnake 281  
(*Nerodia sipedon insularum*), copperbelly water snake (*Nerodia* 282  
*erythrogaster neglecta*), northern brown snake (*Storeria dekayi* 283  
*dekayi*), midland brown snake (*Storeria dekayi wrightorum*), 284  
northern redbelly snake (*Storeria occipitomaculata* 285  
*occipitomaculata*), eastern garter snake (*Thamnophis sirtalis* 286  
*sirtalis*), eastern plains garter snake (*Thamnophis radix radix*), 287  
Butler's garter snake (*Thamnophis butleri*), shorthead garter snake 288  
(*Thamnophis brachystoma*), eastern ribbon snake (*Thamnophis* 289  
*sauritus sauritus*), northern ribbon snake (*Thamnophis sauritus* 290  
*septentrionalis*), eastern hognose snake (*Heterodon platirhinos*), 291  
eastern smooth earth snake (*Virginia valeriae valeriae*), northern 292

ringneck snake (*Diadophis punctatus edwardsii*), midwest worm snake  
(*Carphophis amoenus helenae*), eastern worm snake (*Carphophis*  
*amoenus amoenus*), black racer (*Coluber constrictor constrictor*),  
blue racer (*Coluber constrictor foxii*), rough green snake  
(*Opheodrys aestivus*), smooth green snake (*Opheodrys vernalis*  
*vernalis*), black rat snake (*Elaphe obsoleta obsoleta*), eastern fox  
snake (*Elaphe vulpina gloydi*), black kingsnake (*Lampropeltis*  
*getula nigra*), eastern milk snake (*Lampropeltis triangulum*  
*triangulum*), northern copperhead (*Agkistrodon contortrix mokasen*),  
eastern massasauga (*Sistrurus catenatus catenatus*), and timber  
rattlesnake (*Crotalus horridus horridus*).

(XX) "Amphibians" includes eastern hellbender (*Cryptobranchus*  
*alleganiensis alleganiensis*), mudpuppy (*Necturus maculosus*  
*maculosus*), red-spotted newt (*Notophthalmus viridescens*  
*viridescens*), Jefferson salamander (*Ambystoma jeffersonianum*),  
spotted salamander (*Ambystoma maculatum*), blue-spotted salamander  
(*Ambystoma laterale*), smallmouth salamander (*Ambystoma texanum*),  
streamside salamander (*Ambystoma barbouri*), marbled salamander  
(*Ambystoma opacum*), eastern tiger salamander (*Ambystoma tigrinum*  
*tigrinum*), northern dusky salamander (*Desmognathus fuscus fuscus*),  
mountain dusky salamander (*Desmognathus ochrophaeus*), redback  
salamander (*Plethodon cinereus*), ravine salamander (*Plethodon*  
*richmondi*), northern slimy salamander (*Plethodon glutinosus*),  
Wehrle's salamander (*Plethodon wehrlei*), four-toed salamander  
(*Hemidactylium scutatum*), Kentucky spring salamander (*Gyrinophilus*  
*porphyriticus duryi*), northern spring salamander (*Gyrinophilus*  
*porphyriticus porphyriticus*), mud salamander (*Pseudotriton*  
*montanus*), northern red salamander (*Pseudotriton ruber ruber*),  
green salamander (*Aneides aeneus*), northern two-lined salamander  
(*Eurycea bislineata*), longtail salamander (*Eurycea longicauda*  
*longicauda*), cave salamander (*Eurycea lucifuga*), southern  
two-lined salamander (*Eurycea cirrigera*), Fowler's toad (*Bufo*

woodhousii fowleri), American toad (Bufo americanus), eastern 325  
spadefoot (Scaphiopus holbrookii), Blanchard's cricket frog (Acris 326  
crepitans blanchardi), northern spring peeper (Pseudacris crucifer 327  
crucifer), gray treefrog (Hyla versicolor), Cope's gray treefrog 328  
(Hyla chrysoscelis), western chorus frog (Pseudacris triseriata 329  
triseriata), mountain chorus frog (Pseudacris brachyphona), 330  
bullfrog (Rana catesbeiana), green frog (Rana clamitans melanota), 331  
northern leopard frog (Rana pipiens), pickerel frog (Rana 332  
palustris), southern leopard frog (Rana utricularia), and wood 333  
frog (Rana sylvatica). 334

(YY) "Deer" means white-tailed deer (Odocoileus 335  
virginianus). 336

(ZZ) "Domestic deer" means nonnative deer that have been 337  
legally acquired or their offspring and that are held in private 338  
ownership for primarily agricultural purposes. 339

(AAA) "Migratory game bird" includes waterfowl (Anatidae); 340  
doves (Columbidae); cranes (Gruidae); rails, coots, and gallinules 341  
(Rallidae); and woodcock and snipe (Scolopacidae). 342

**Sec. 1711.09.** Except as otherwise provided in this section, 343  
county agricultural societies, independent agricultural societies, 344  
and the Ohio expositions commission shall not permit during any 345  
fair, or for one week before or three days ~~thereafter~~ after any 346  
fair, any dealing in spirituous liquors, or at any time allow or 347  
tolerate immoral shows, lottery devices, games of chance, or 348  
gambling of any kind, including pool selling and paddle wheels, 349  
anywhere on the fairground; and shall permit no person at any time 350  
to operate any side show, amusement, game, or device, or offer for 351  
sale any novelty by auction or solicitation, on ~~such the~~ 352  
fairground who has not first obtained from the director of 353  
agriculture ~~such a license as is provided by~~ under section 1711.11 354  
of the Revised Code. This section does not prohibit the sale of 355

lottery tickets by the state lottery commission pursuant to 356  
Chapter 3770. of the Revised Code at the state fairground during 357  
the state fair. In addition, a county or independent agricultural 358  
society may permit, at any time except during a fair or for one 359  
week before or three days ~~thereafter~~ after a fair, a charitable 360  
organization to conduct in accordance with Chapter 2915. of the 361  
Revised Code games of chance, ~~schemes of chance~~, or bingo on the 362  
fairground of a county with a population of ~~500,000~~ five hundred 363  
thousand or less. A charitable organization may lease all or part 364  
of the fairground from the agricultural society for that purpose. 365

Any sales of intoxicating liquor transacted on the fairground 366  
shall be subject to Chapters 4301., 4303., and 4399. of the 367  
Revised Code. 368

Any agricultural society that permits the sale of 369  
intoxicating liquor on its fairground shall apply any proceeds 370  
gained by ~~such~~ the society from the permit holder and from 371  
activities coincident to the sale of intoxicating liquor first to 372  
pay the cost of insurance on all buildings on ~~such~~ the fairground, 373  
and then for any other purpose authorized by law. 374

**Sec. 2915.01.** As used in this chapter: 375

(A) "Bookmaking" means the business of receiving or paying 376  
off bets. 377

(B) "Bet" means the hazarding of anything of value upon the 378  
result of an event, undertaking, or contingency, but does not 379  
include a bona fide business risk. 380

(C) "Scheme of chance" means a lottery, numbers game, pool, 381  
or other scheme in which a participant gives a valuable 382  
consideration for a chance to win a prize, but does not include 383  
bingo. 384

(D) "Game of chance" means poker, craps, roulette, a slot 385

machine, ~~a punch board~~, or other game in which a player gives  
anything of value in the hope of gain, the outcome of which is  
determined largely ~~or wholly~~ by chance, but does not include  
bingo.

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

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

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

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

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

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

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

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

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

(2) A violation of an existing or former municipal ordinance  
or law of this or any other state or the United States  
substantially equivalent to any section listed in division (G)(1)  
of this section or a violation of section 2915.06 of the Revised  
Code as it existed prior to ~~the effective date of this amendment~~

July 1, 1996;

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

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

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

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

(J) "Educational organization" means any organization within this state that is not organized for profit, ~~the primary purpose~~

~~of which and that~~ is organized for educational purposes. As used 448  
in this division, "educational purposes" means to provide 449  
scholarships, to educate and develop the capabilities of 450  
individuals through instruction, ~~and that operates or to operate~~ 451  
~~or contributes~~ contribute to the support of a school, academy, 452  
college, or university. 453

(K) "Veteran's organization" means any individual post of a 454  
national veteran's association or an auxiliary unit of any 455  
individual post of a national veteran's association, which post or 456  
auxiliary unit has been incorporated as a nonprofit corporation 457  
for at least two years and has received a letter from the state 458  
headquarters of the national veteran's association indicating that 459  
the individual post or auxiliary unit is in good standing with the 460  
national veteran's association. As used in this division, 461  
"national veteran's association" means any veteran's association 462  
that has been in continuous existence as such for a period of at 463  
least ~~ten~~ five years and either is incorporated by an act of the 464  
United States congress or has a national dues-paying membership of 465  
at least five thousand persons. 466

(L) "Volunteer ~~fire-fighter's~~ firefighter's organization" 467  
means any organization of volunteer ~~fire-fighters~~ firefighters, as 468  
defined in section 146.01 of the Revised Code, that is organized 469  
and operated exclusively to provide financial support for a 470  
volunteer fire department or a volunteer fire company. 471

(M) "Fraternal organization" means any society, order, or 472  
association within this state, except a college or high school 473  
fraternity, that is not organized for profit, that is a branch, 474  
lodge, or chapter of a national or state organization, that exists 475  
exclusively for the common business or sodality of its members, 476  
and that has been in continuous existence in this state for a 477  
period of ~~five~~ two years. As used in this division, "national or 478  
state organization" means an organization that has been in 479



continuous existence as such for a period of at least five years 480  
and that has a national or state dues-paying membership, as 481  
applicable. 482

(N) "Volunteer rescue service organization" means any 483  
organization of volunteers organized to function as an emergency 484  
medical service organization, as defined in section 4765.01 of the 485  
Revised Code. 486

(O) "Service organization" means any organization, not 487  
organized for profit, that is organized and operated exclusively 488  
to provide, or to contribute to the support of organizations or 489  
institutions organized and operated exclusively to provide, 490  
medical and therapeutic services for persons who are crippled, 491  
born with birth defects, or have any other mental or physical 492  
defect or those organized and operated exclusively to protect, or 493  
to contribute to the support of organizations or institutions 494  
organized and operated exclusively to protect, animals from 495  
inhumane treatment. 496

(P) "Nonprofit medical organization" means any organization 497  
that has been incorporated as a nonprofit corporation for at least 498  
five years and that has continuously operated and will be operated 499  
exclusively to provide, or to contribute to the support of 500  
organizations or institutions organized and operated exclusively 501  
to provide, hospital, medical, research, or therapeutic services 502  
for the public. 503

(Q) "Senior citizen's organization" means any private 504  
organization, not organized for profit, that is organized and 505  
operated exclusively to provide recreational or social services 506  
for persons who are fifty-five years of age or older and that is 507  
described and qualified under subsection 501(c)(3) of the Internal 508  
Revenue Code. 509

(R) "Charitable bingo game" means any bingo game described in 510  
division (S)(1) or (2) of this section that is conducted by a 511

charitable organization that has obtained a ~~bingo~~ license pursuant 512  
to section 2915.08 of the Revised Code and the proceeds of which 513  
are used for a charitable purpose. 514

(S) "Bingo" means either of the following: 515

(1) A game with all of the following characteristics: 516

(a) The participants use bingo cards or sheets, including 517  
paper formats and electronic representation or image formats, that 518  
are divided into twenty-five spaces arranged in five horizontal 519  
and five vertical rows of spaces, with each space, except the 520  
central space, being designated by a combination of a letter and a 521  
number and with the central space being designated as a free 522  
space. 523

(b) The participants cover the spaces on the bingo cards or 524  
sheets that correspond to combinations of letters and numbers that 525  
are announced by a bingo game operator. 526

(c) A bingo game operator announces combinations of letters 527  
and numbers that appear on objects that a bingo game operator 528  
selects by chance, either manually or mechanically, from a 529  
receptacle that contains seventy-five objects at the beginning of 530  
each game, each object marked by a different combination of a 531  
letter and a number that corresponds to one of the seventy-five 532  
possible combinations of a letter and a number that can appear on 533  
the bingo cards or sheets. 534

(d) The winner of the bingo game includes any participant who 535  
properly announces during the interval between the announcements 536  
of letters and numbers as described in division (S)(1)(c) of this 537  
section, that a predetermined and preannounced pattern of spaces 538  
has been covered on a bingo card or sheet being used by the 539  
participant. 540

(2) ~~Any scheme or game other than a game as defined in~~ 541  
~~division (S)(1) of this section with the following~~ 542

characteristics: 543

~~(a) The participants use cards, sheets, or other devices that 544  
are divided into spaces arranged in horizontal, vertical, or 545  
diagonal rows of spaces, with each space, except free spaces, 546  
being designated by a single letter, number, or symbol; by a 547  
combination of letters, numbers, or symbols; by a combination of a 548  
letter and a number, a letter and a symbol, or a number and a 549  
symbol; or by any combination of letters, numbers, and symbols, 550  
with some or none of the spaces being designated as a free, 551  
complimentary, or similar space. 552~~

~~(b) The participants cover the spaces on the cards, sheets, 553  
or devices that correspond to letters, numbers, symbols, or 554  
combinations of such that are announced by a bingo game operator 555  
or otherwise transmitted to the participants. 556~~

~~(c) A bingo game operator announces, or otherwise transmits 557  
to the participants, letters, numbers, symbols, or any combination 558  
of such as set forth in division (S)(2)(a) of this section that 559  
appear on objects that a bingo game operator selects by chance 560  
that correspond to one of the possible letters, numbers, symbols, 561  
or combinations of such that can appear on the bingo cards, 562  
sheets, or devices. 563~~

~~(d) The winner of the bingo game is any participant who 564  
properly announces that a predetermined and preannounced pattern 565  
of spaces has been covered on a card, sheet, or device being used 566  
by the participant Instant bingo, punch boards, and raffles. 567~~

~~(T) "Conduct" means to back, promote, organize, manage, carry 568  
on, sponsor, or prepare for the operation of a scheme bingo or a 569  
game of chance but does not include any act performed by a bingo 570  
game operator. 571~~

~~(U) "Bingo game operator" means any person, except security 572  
personnel, who performs work or labor at the site of a bingo game, 573~~

including, but not limited to, collecting money from participants, 574  
handing out bingo cards or sheets or objects to cover spaces on 575  
~~the~~ bingo cards or sheets, selecting from a receptacle the objects 576  
that contain the combination of letters and numbers that appear on 577  
~~the~~ bingo cards or sheets, calling out the combinations of letters 578  
and numbers, distributing prizes ~~to the winner of the bingo game~~, 579  
selling or redeeming instant bingo tickets or cards, supervising 580  
the operation of a punch board, selling raffle tickets, selecting 581  
raffle tickets from a receptacle and announcing the winning 582  
numbers in a raffle, and preparing, selling, and serving food or 583  
beverages. 584

(V) "Participant" means any person who plays bingo ~~by~~ 585  
~~covering the spaces on a bingo card that correspond to~~ 586  
~~combinations of letters and numbers that are announced by a bingo~~ 587  
~~game operator.~~ 588

(W) "Bingo session" means a period, not to exceed five 589  
continuous hours, during which a person conducts one or more bingo 590  
games described in division (S)(1) of this section. 591

(X) "Gross receipts" means all money or assets, including 592  
admission fees, that a person receives from ~~a bingo session that~~ 593  
~~the person conducts~~ without the deduction of any amounts for 594  
prizes paid out ~~during the session~~ or for the expenses of 595  
conducting ~~the bingo session~~. "Gross receipts" does not include 596  
any money directly taken in from the sale of food or beverages by 597  
a charitable organization conducting ~~a bingo session~~, or by a bona 598  
fide auxiliary unit or society of a charitable organization, ~~at a~~ 599  
~~bingo session conducted by the charitable organization~~ conducting 600  
bingo, provided all of the following apply: 601

(1) The auxiliary unit or society has been in existence as a 602  
bona fide auxiliary unit or society of the charitable organization 603  
for at least two years prior to ~~the~~ conducting bingo ~~session~~. 604

(2) The person who purchases the food or beverage receives 605

nothing of value except the food or beverage and items customarily  
received with the purchase of that food or beverage.

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

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

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

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

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

~~(2) A~~ veteran's organization, ~~as defined in division (K) of  
this section,~~ that is a post, chapter, or organization of war  
veterans, or an auxiliary unit or society of, or a trust or  
foundation for, any such post, chapter, or organization organized  
in the United States or any of its possessions, at least

seventy-five per cent of the members of which are war veterans and 637  
substantially all of the other members of which are individuals 638  
who are veterans (but not war veterans) or are cadets, or are 639  
spouses, widows, or widowers of war veterans, or such individuals, 640  
provided that no part of the net earnings of such post, chapter, 641  
or organization inures to the benefit of any private shareholder 642  
or individual, and further provided that the ~~bingo game proceeds~~ 643  
~~are~~ net profit is used by the post, chapter, or organization for 644  
the charitable purposes set forth in division (B)(12) of section 645  
5739.02 of the Revised Code, ~~are~~ is used for awarding scholarships 646  
to or for attendance at an institution mentioned in division 647  
(B)(12) of section 5739.02 of the Revised Code, ~~are~~ is donated to 648  
a governmental agency, or ~~are~~ is used for nonprofit youth 649  
activities, the purchase of United States or Ohio flags that are 650  
donated to schools, youth groups, or other bona fide nonprofit 651  
organizations, promotion of patriotism, or disaster relief; ~~that~~ 652  
~~the proceeds of the bingo game are used by, or given, donated, or~~ 653  
~~otherwise transferred to a~~ 654

(3) A fraternal organization that ~~has been in continuous~~ 655  
~~existence in this state for fifteen years for use~~ uses the net 656  
profit exclusively for religious, charitable, scientific, 657  
literary, or educational purposes, or for the prevention of 658  
cruelty to children or animals, and contributions for such use 659  
would qualify as a deductible charitable contribution under 660  
subsection 170 of the Internal Revenue Code; ~~or that the proceeds~~ 661  
~~of the bingo game are used by a~~ 662

(4) A volunteer ~~fire fighter's~~ firefighter's organization ~~and~~ 663  
~~are used by the organization that uses the net profit~~ for the 664  
purposes set forth in division (L) of this section. 665

(AA) "Internal Revenue Code" means the "Internal Revenue Code 666  
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 667  
amended. 668

(BB) "Youth athletic organization" means any organization, 669  
not organized for profit, that is organized and operated 670  
exclusively to provide financial support to, or to operate, 671  
athletic activities for persons who are twenty-one years of age or 672  
younger by means of sponsoring, organizing, operating, or 673  
contributing to the support of an athletic team, club, league, or 674  
association. 675

(CC) "Youth athletic park organization" means any 676  
organization, not organized for profit, that satisfies both of the 677  
following: 678

(1) It owns, operates, and maintains playing fields that 679  
satisfy both of the following: 680

(a) The playing fields are used at least one hundred days per 681  
year for athletic activities by one or more organizations, not 682  
organized for profit, each of which is organized and operated 683  
exclusively to provide financial support to, or to operate, 684  
athletic activities for persons who are eighteen years of age or 685  
younger by means of sponsoring, organizing, operating, or 686  
contributing to the support of an athletic team, club, league, or 687  
association. 688

(b) The playing fields are not used for any profit-making 689  
activity at any time during the year. 690

(2) It uses the proceeds of ~~the bingo games~~ it conducts 691  
exclusively for the operation, maintenance, and improvement of its 692  
playing fields of the type described in division (CC)(1) of this 693  
section. 694

(DD) "Amateur athletic organization" means any organization, 695  
not organized for profit, that is organized and operated 696  
exclusively to provide financial support to, or to operate, 697  
athletic activities for persons who are training for amateur 698  
athletic competition that is sanctioned by a national governing 699

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 offered in  
single cards or sheets or in packets that have a common serial  
number and a unique card or sheet number; instant bingo tickets or  
cards; electronic bingo aids; raffle tickets; punch boards; seal  
cards; instant bingo ticket dispensers; and devices for selecting  
or displaying the combination of bingo letters and numbers or  
raffle tickets. Items that are "bingo supplies" are not gambling  
devices if sold or otherwise provided, and used, in accordance  
with this chapter. For purposes of this chapter, "bingo supplies"  
are not to be considered equipment used to conduct a bingo game.

(FF) "Instant bingo" means a form of bingo that uses folded  
or banded tickets or paper cards with perforated break-open tabs,  
a face of which is covered or otherwise hidden from view to  
conceal a number, letter, or symbol, or set of numbers, letters,  
or symbols, some of which have been designated in advance as prize  
winners. "Instant bingo" includes seal cards. "Instant bingo" does  
not include any device that is activated by the insertion of a  
coin, currency, token, or an equivalent, and that contains as one  
of its components a video display monitor that is capable of  
displaying numbers, letters, symbols, or characters in winning or  
losing combinations.

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

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



corresponding to all tickets sold for the raffle.

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

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

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

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

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(1) The purchase or lease of bingo supplies;

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

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

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(4) Audits and accounting services;

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(5) Safes;

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(6) Cash registers;

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(7) Hiring security personnel;

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(8) Advertising bingo;

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(9) Renting premises in which to conduct bingo;

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(10) Tables and chairs;

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(11) Any other product or service directly related to the

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conduct of bingo that is authorized in rules adopted by the  
attorney general under division (B)(1) of section 2915.08 of the  
Revised Code.

(MM) "Person" has the same meaning as in section 1.59 of the  
Revised Code and includes any firm or any other legal entity,  
however organized.

(NN) "Revoke" means to void permanently all rights and  
privileges of the holder of a license issued under section  
2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable  
gaming license issued by another jurisdiction.

(OO) "Suspend" means to interrupt temporarily all rights and  
privileges of the holder of a license issued under section  
2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable  
gaming license issued by another jurisdiction.

(PP) "Distributor" means any person who purchases or obtains  
bingo supplies and who sells, offers for sale, or otherwise  
provides or offers to provide the bingo supplies to another person  
for use in this state.

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

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

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

- (1) It is activated upon the insertion of United States 790  
currency. 791
- (2) It performs no gaming functions. 792
- (3) It does not contain a video display monitor or generate 793  
noise. 794
- (4) It is not capable of displaying any numbers, letters, 795  
symbols, or characters in winning or losing combinations. 796
- (5) It does not simulate or display rolling or spinning 797  
reels. 798
- (6) It is incapable of determining whether a dispensed bingo 799  
ticket or card is a winning or nonwinning ticket or card and 800  
requires a winning ticket or card to be paid by a bingo game 801  
operator. 802
- (7) It may provide accounting and security features to aid in 803  
accounting for the instant bingo tickets or cards it dispenses. 804
- (8) It is not part of an electronic network and is not 805  
interactive. 806
- (TT)(1) "Electronic bingo aid" means an electronic device 807  
used by a participant to monitor bingo cards or sheets purchased 808  
at the time and place of a bingo session and that does all of the 809  
following: 810
- (a) It provides a means for a participant to input numbers 811  
and letters announced by a bingo caller. 812
- (b) It compares the numbers and letters entered by the 813  
participant to the bingo faces previously stored in the memory of 814  
the device. 815
- (c) It identifies a winning bingo pattern. 816
- (2) "Electronic bingo aid" does not include any device into 817  
which a coin, currency, token, or an equivalent is inserted to 818

activate play.

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

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

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

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

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

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

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

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(C) This section does not prohibit conduct in connection with

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gambling expressly permitted by law.

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

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

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

~~(a) The games of chance are not craps for money, 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 880  
for a period of no less than one year immediately preceding the 881  
conducting of the games of chance, on premises leased from a 882  
governmental unit, or on premises that are leased from a veteran's 883  
or fraternal organization and that have been owned by the lessor 884  
veteran's or fraternal organization for a period of no less than 885  
one year immediately preceding the conducting of the games of 886  
chance. 887

A charitable organization shall not lease premises from a 888  
veteran's or fraternal organization to conduct a festival 889  
described in division (D)~~(2)~~(1)(c) of this section if the 890  
veteran's or fraternal organization already has leased the 891  
premises four times during the preceding year to charitable 892  
organizations for that purpose. If a charitable organization 893  
leases premises from a veteran's or fraternal organization to 894  
conduct a festival described in division (D)~~(2)~~(1)(c) of this 895  
section, the charitable organization shall not pay a rental rate 896  
for the premises per day of the festival that exceeds the rental 897  
rate per bingo session that a charitable organization may pay 898  
under division ~~(A)~~~~(3)~~(B)(1) of section 2915.09 of the Revised Code 899  
when it leases premises from another charitable organization to 900  
conduct bingo games. 901

(d) All of the money or assets received from the games of 902  
chance after deduction only of prizes paid out during the conduct 903  
of the games of chance are used by, or given, donated, or 904  
otherwise transferred to, any organization that is described in 905  
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 906  
Revenue Code and is either a governmental unit or an organization 907  
that is tax exempt under subsection 501(a) and described in 908  
subsection 501(c)(3) of the Internal Revenue Code; 909

(e) The games of chance are not conducted during, or within 910  
ten hours of, a bingo game conducted for amusement purposes only 911

pursuant to section 2915.12 of the Revised Code.

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

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

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

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

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

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

(1) The subject of a bet;

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

(3) A scheme or game of chance;

(4) Bingo.

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

(1) Offer, give, solicit, or accept anything of value to 940  
corrupt the outcome of an athletic or sporting event; 941

(2) Engage in conduct designed to corrupt the outcome of an 942  
athletic or sporting event. 943

(C)(1) Whoever violates division (A) of this section is 944  
guilty of cheating~~7~~. Except as otherwise provided in this 945  
division, cheating is a misdemeanor of the first degree. If the 946  
potential gain from the cheating is five hundred dollars or more 947  
or if the offender previously has been convicted of any gambling 948  
offense or of any theft offense, as defined in section 2913.01 of 949  
the Revised Code, cheating is a felony of the fifth degree. 950

(2) Whoever violates division (B) of this section is guilty 951  
of corrupting sports. Corrupting sports is a felony of the fifth 952  
degree on a first offense and a felony of the fourth degree on 953  
each subsequent offense. 954

**Sec. 2915.07.** (A) No person, except a charitable organization 955  
that has obtained a ~~bingo~~ license pursuant to section 2915.08 of 956  
the Revised Code, shall conduct or advertise ~~a bingo game~~. This 957  
division does not apply to a raffle that a charitable organization 958  
conducts or advertises. 959

(B) Whoever violates this section is guilty of conducting ~~an~~ 960  
illegal bingo ~~game~~, a felony of the fourth degree. 961

**Sec. 2915.08.** (A)~~(1)~~ Annually before the first day of 962  
January, a charitable organization that desires to conduct bingo 963  
~~games~~ shall make out ~~and deliver to the attorney general~~, upon a 964  
form to be furnished by the attorney general for that purpose, an 965  
application for a license to conduct bingo and deliver that 966  
application to the attorney general together with a license fee ~~of~~ 967  
~~one~~ as follows: 968



(a) Five hundred dollars ~~or a~~ for a charitable organization's 969  
initial license application or for a charitable organization whose 970  
gross annual revenues are fifty thousand dollars or less; 971  
972

(b) One thousand five hundred dollars for a charitable 973  
organization whose gross annual revenues exceed fifty thousand 974  
dollars but do not exceed three hundred thousand dollars; 975

(c) Two thousand five hundred dollars for a charitable 976  
organization whose gross annual revenues exceed three hundred 977  
thousand dollars; 978

(d) A reduced license fee established by the attorney general 979  
pursuant to division (G) of this section. ~~The~~ 980

(2) The application shall be in the form prescribed by the 981  
attorney general ~~and~~, shall be signed and sworn to by the 982  
applicant. 983

~~The application, and~~ shall contain all of the following: 984

~~(1)~~(a) The name and post-office address of the applicant; 985

~~(2)~~(b) A statement that the applicant is a charitable 986  
organization and that it has been in continuous existence as a 987  
charitable organization in this state for two years immediately 988  
preceding the making of the application or for five years in the 989  
case of a ~~fraternal organization or a~~ nonprofit medical 990  
organization; 991

~~(3)~~(c) The location at which the organization will conduct 992  
~~the bingo game~~, which location shall be within the county in which 993  
the principal place of business of the applicant is located, the 994  
days of the week and the times on each of those days when ~~a~~ bingo 995  
~~session~~ will be conducted, whether the organization owns, leases, 996  
or subleases the premises, and a copy of the rental agreement if 997  
it leases or subleases the premises; 998

~~(4)~~(d) A statement of the applicant's previous history, 999  
record, and association that is sufficient to establish that the 1000  
applicant is a charitable organization, and a copy of a 1001  
determination letter that is issued by the Internal Revenue 1002  
Service and states that the organization is tax exempt under 1003  
subsection 501(a) and described in subsection 501(c)(3), 1004  
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 1005  
Revenue Code; 1006

~~(5)~~(e) A statement as to whether the applicant has ever had 1007  
any previous application refused, whether it previously has had a 1008  
license revoked or suspended, and the reason stated by the 1009  
attorney general for the refusal, revocation, or suspension; 1010

~~(6)~~(f) A statement of the charitable ~~purpose~~ purposes for 1011  
which the ~~bingo proceeds~~ net profit derived from bingo, other than 1012  
instant bingo, will be used, and a statement of how the net profit 1013  
derived from instant bingo will be distributed in accordance with 1014  
section 2915.101 of the Revised Code; 1015

~~(7)~~(g) Other necessary and reasonable information that the 1016  
attorney general may require by rule adopted pursuant to section 1017  
111.15 of the Revised Code; 1018

~~(8)~~(h) If the applicant is a charitable trust as defined in 1019  
section 109.23 of the Revised Code, a statement as to whether it 1020  
has registered with the attorney general pursuant to section 1021  
109.26 of the Revised Code or filed annual reports pursuant to 1022  
section 109.31 of the Revised Code, and, if it is not required to 1023  
do either, the exemption in section 109.26 or 109.31 of the 1024  
Revised Code that applies to it; 1025

~~(9)~~(i) If the applicant is a charitable organization as 1026  
defined in section 1716.01 of the Revised Code, a statement as to 1027  
whether it has filed with the attorney general a registration 1028  
statement pursuant to section 1716.02 of the Revised Code and a 1029

financial report pursuant to section 1716.04 of the Revised Code, 1030  
and, if it is not required to do both, the exemption in section 1031  
1716.03 of the Revised Code that applies to it; 1032

~~(10)(j)~~ In the case of an applicant seeking to qualify as a 1033  
youth athletic park organization ~~under division (CC) of section~~ 1034  
~~2915.01 of the Revised Code~~, a statement issued by a board or body 1035  
vested with authority under Chapter 755. of the Revised Code for 1036  
the supervision and maintenance of recreation facilities in the 1037  
territory in which the organization is located, certifying that 1038  
the playing fields owned by the organization were used for at 1039  
least one hundred days during the year in which the statement is 1040  
issued, and were open for use to all residents of that territory, 1041  
regardless of race, color, creed, religion, sex, or national 1042  
origin, for athletic activities by youth athletic organizations, 1043  
~~as defined in division (BB) of section 2915.01 of the Revised~~ 1044  
~~Code~~, that do not discriminate on the basis of race, color, creed, 1045  
religion, sex, or national origin, and that the fields were not 1046  
used for any profit-making activity at any time during the year. 1047  
That type of board or body is authorized to issue the statement 1048  
upon request and shall issue the statement if it finds that the 1049  
applicant's playing fields were so used. 1050

(3) The attorney general, within thirty days after receiving 1051  
a timely filed application from a charitable organization that has 1052  
been issued a ~~bingo~~ license under this section that has not 1053  
expired and has not been revoked or suspended, shall send a 1054  
temporary permit to the applicant specifying the date on which the 1055  
application was filed with the attorney general and stating that, 1056  
pursuant to section 119.06 of the Revised Code, the applicant may 1057  
continue to conduct bingo ~~games~~ until a new license is granted or, 1058  
if the application is rejected, until fifteen days after notice of 1059  
the rejection is mailed to the applicant. The temporary permit 1060  
does not affect the validity of the applicant's application and 1061

does not grant any rights to the applicant except those rights 1062  
specifically granted in section 119.06 of the Revised Code. The 1063  
issuance of a temporary permit by the attorney general pursuant to 1064  
this ~~paragraph~~ division does not prohibit the attorney general 1065  
from rejecting the applicant's application because of acts that 1066  
the applicant committed, or actions that the applicant failed to 1067  
take, before or after the issuance of the temporary permit. 1068

(4) Within thirty days after receiving an initial license 1069  
application from a charitable organization to conduct bingo, the 1070  
attorney general shall conduct a preliminary review of the 1071  
application and notify the applicant regarding any deficiencies. 1072  
Beginning on the thirtieth day after the application is filed, if 1073  
the attorney general failed to notify the applicant of any 1074  
deficiencies, the attorney general shall have an additional sixty 1075  
days to conduct an investigation and either grant or deny the 1076  
application based on findings established and communicated in 1077  
accordance with divisions (B) and (E) of this section. As an 1078  
option to granting or denying an initial license application, the 1079  
attorney general may grant a temporary license and request 1080  
additional time to conduct the investigation if the attorney 1081  
general has cause to believe that additional time is necessary to 1082  
complete the investigation and has notified the applicant in 1083  
writing about the specific concerns raised during the 1084  
investigation. 1085

(B)(1) The attorney general shall adopt rules to enforce 1086  
division (B)(3) of section 4301.03 and sections 2915.01, 2915.02, 1087  
and 2915.07 to 2915.12 of the Revised Code to ensure that bingo 1088  
~~games are~~ is conducted in accordance with that division and those 1089  
sections, and to maintain proper control over the conduct of bingo 1090  
~~games~~. The rules, except rules adopted pursuant to division 1091  
divisions (A)(7)(2)(g) and (G) of this section, shall be adopted 1092  
pursuant to Chapter 119. of the Revised Code. The attorney general 1093

shall license charitable organizations to conduct bingo ~~games~~ in 1094  
conformance with this chapter and with the licensing provisions of 1095  
Chapter 119. of the Revised Code. 1096

(2) The attorney general may refuse to grant a ~~bingo~~ license 1097  
to any organization, or revoke or suspend the license of any 1098  
organization, that does any of the following or to which any of 1099  
the following applies: 1100

(a) Fails or has failed at any time to meet any requirement 1101  
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 1102  
2915.11 of the Revised Code, or violates or has violated any 1103  
provision of sections 2915.02 or 2915.07 to 2915.12 of the Revised 1104  
Code or any rule adopted by the attorney general pursuant to this 1105  
section; 1106

(b) Makes or has made an incorrect or false statement that is 1107  
material to the granting of the license in an application filed 1108  
pursuant to division (A) of this section; 1109

(c) Submits or has submitted any incorrect or false 1110  
information relating to an application if the information is 1111  
material to the granting of the license; 1112

(d) Maintains or has maintained any incorrect or false 1113  
information that is material to the granting of the license in the 1114  
records required to be kept pursuant to ~~division~~ divisions (A) and 1115  
(C) of section 2915.10 of the Revised Code, if applicable; 1116

(e) The attorney general has good cause to believe that the 1117  
organization will not conduct ~~its~~ bingo ~~games~~ in accordance with 1118  
sections ~~2915.02 and~~ 2915.07 to 2915.12 of the Revised Code or 1119  
with any rule adopted by the attorney general pursuant to this 1120  
section. 1121

(3) For the purposes of ~~this~~ division (B) of this section, 1122  
any action of an officer, trustee, agent, representative, or bingo 1123  
game operator of an organization is an action of the organization. 1124

(C) The attorney general may grant ~~bingo~~ licenses to 1125  
charitable organizations that are branches, lodges, or chapters of 1126  
national charitable organizations. 1127

(D) The attorney general shall send notice in writing to the 1128  
prosecuting attorney and sheriff of the county in which the 1129  
organization will conduct ~~the bingo game~~, as stated in its 1130  
application for a license or amended license, and to any other law 1131  
enforcement agency in that county that so requests, of all of the 1132  
following: 1133

(1) The issuance of the license; 1134

(2) The issuance of the amended license; 1135

(3) The rejection of an application for and refusal to grant 1136  
a license; 1137

(4) The revocation of any license previously issued; 1138

(5) The suspension of any license previously issued. 1139

(E) A ~~bingo~~ license issued by the attorney general shall set 1140  
forth the information contained on the application of the 1141  
charitable organization that the attorney general determines is 1142  
relevant, including, but not limited to, the location at which the 1143  
organization will conduct ~~the bingo game~~ and the days of the week 1144  
and the times on each of those days when a bingo ~~session~~ will be 1145  
conducted. If the attorney general refuses to grant or revokes or 1146  
suspends a ~~bingo~~ license, the attorney general shall notify the 1147  
applicant in writing and specifically identify the reason for the 1148  
refusal, revocation, or suspension in narrative form and, if 1149  
applicable, by identifying the section of the Revised Code 1150  
violated. The failure of the attorney general to give the written 1151  
notice of the reasons for the refusal, revocation, or suspension 1152  
or a mistake in the written notice does not affect the validity of 1153  
the attorney general's refusal to grant, or the revocation or 1154  
suspension of, a ~~bingo~~ license. If the attorney general fails to 1155

give the written notice or if there is a mistake in the written 1156  
notice, the applicant may bring an action to compel the attorney 1157  
general to comply with this division or to correct the mistake, 1158  
but the attorney general's order refusing to grant, or revoking or 1159  
suspending, a ~~bingo~~ license shall not be enjoined during the 1160  
pendency of the action. 1161

(F) A charitable organization that has been issued a ~~bingo~~ 1162  
license pursuant to division (B) of this section but that cannot 1163  
conduct bingo ~~sessions~~ at the location, or on the day of the week 1164  
or at the time, specified on the license due to circumstances 1165  
~~beyond its control that make it impractical to do so~~ may apply, 1166  
~~without charge,~~ in writing, together with an application fee of 1167  
two hundred fifty dollars, to the attorney general ~~for,~~ at least 1168  
thirty days prior to a change in location, day of the week, or 1169  
time, and request an amended ~~bingo~~ license. The application shall 1170  
describe ~~in detail~~ the causes making it ~~impossible~~ impractical for 1171  
the organization to conduct ~~its~~ bingo ~~sessions~~ in conformity with 1172  
its license and shall indicate the location, days of the week, and 1173  
times on each of those days when it desires to conduct a bingo 1174  
~~session. If the attorney general approves the application for the~~ 1175  
~~amended license, the.~~ Except as otherwise provided in this 1176  
division, the attorney general shall issue the amended license in 1177  
accordance with division (E) of this section, and the organization 1178  
shall surrender its original license to the attorney general. The 1179  
attorney general ~~shall~~ may refuse to grant ~~an application for~~ an 1180  
amended ~~bingo~~ license according to the terms of division (B) of 1181  
this section. 1182

(G) The attorney general, by rule adopted pursuant to section 1183  
111.15 of the Revised Code, shall establish a schedule of reduced 1184  
license fees for charitable organizations that desire to conduct 1185  
bingo ~~games~~ during fewer than twenty-six weeks in any calendar 1186  
year. 1187

Sec. 2915.081. (A) No distributor shall sell, offer to sell, 1188  
or otherwise provide or offer to provide bingo supplies to another 1189  
person for use in this state without having obtained a license 1190  
from the attorney general under this section. 1191

(B) The attorney general may issue a distributor license to 1192  
any person that meets the requirements of this section. The 1193  
application for the license shall be on a form prescribed by the 1194  
attorney general and be accompanied by the annual fee prescribed 1195  
by this section. The license is valid for a period of one year, 1196  
and the annual fee for the license is two thousand five hundred 1197  
dollars. 1198

(C) The attorney general may refuse to issue a distributor 1199  
license to any person to which any of the following applies, or to 1200  
any person that has an officer, partner, or other person who has 1201  
an ownership interest of ten per cent or more and to whom any of 1202  
the following applies: 1203

(1) The person, officer, or partner has been convicted of a 1204  
felony under the laws of this state, another state, or the United 1205  
States. 1206

(2) The person, officer, or partner has been convicted of any 1207  
gambling offense. 1208

(3) The person, officer, or partner has made an incorrect or 1209  
false statement that is material to the granting of a license in 1210  
an application submitted to the attorney general under this 1211  
section or in a similar application submitted to a gambling 1212  
licensing authority in another jurisdiction if the statement 1213  
resulted in license revocation through administrative action in 1214  
the other jurisdiction. 1215

(4) The person, officer, or partner has submitted any 1216  
incorrect or false information relating to the application to the 1217



attorney general under this section, if the information is  
material to the granting of the license.

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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.

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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.

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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. This division does not  
prohibit a distributor from advising charitable organizations on  
the use and benefit of specific bingo supplies or prohibit a  
distributor from advising a customer on operational methods to  
improve bingo profitability.

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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  
section. No distributor shall accept payment for the sale or other  
provision of bingo supplies other than by check.

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(2) No distributor shall provide a charitable organization  
with free samples of instant bingo tickets or cards, punch boards,  
or seal cards. No distributor may donate, give, loan, lease, or  
otherwise provide any bingo supplies or equipment to a charitable  
organization for use in a bingo session conditioned on or in  
consideration for an exclusive right to provide bingo supplies to  
the charitable organization.

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(3) No distributor shall purchase bingo supplies for use in 1249  
this state from any person except from a manufacturer issued a 1250  
license under section 2915.082 of the Revised Code or from another 1251  
distributor issued a license under this section. Subject to 1252  
division (D) of section 2915.082 of the Revised Code, no 1253  
distributor shall pay for purchased bingo supplies other than by 1254  
check. 1255

(4) No distributor shall participate in the conduct of bingo 1256  
on behalf of a charitable organization or have any direct or 1257  
indirect ownership interest in a premises used for the conduct of 1258  
bingo. 1259

(5) No distributor shall knowingly solicit, offer, pay, or 1260  
receive any kickback, bribe, or undocumented rebate, directly or 1261  
indirectly, overtly or covertly, in cash or in kind, in return for 1262  
providing bingo supplies to any person in this state. 1263

(6) No distributor shall sell, offer to sell, lease, offer to 1264  
lease, or otherwise provide or offer to provide bingo cards or 1265  
sheets other than uniquely identifiable bingo cards or sheets or 1266  
resell or reuse uniquely identifiable bingo cards or sheets, 1267  
including electronic representations or image formats. 1268

(F) The attorney general may suspend or revoke a distributor 1269  
license for any of the reasons for which the attorney general may 1270  
refuse to issue a distributor license specified in division (C) of 1271  
this section or if the distributor holding the license violates 1272  
any provision of this chapter or any rule adopted by the attorney 1273  
general under this chapter. 1274

(G) Whoever violates division (A) or (E) of this section is 1275  
guilty of illegally operating as a distributor. Except as 1276  
otherwise provided in this division, illegally operating as a 1277  
distributor is a misdemeanor of the first degree. If the offender 1278  
previously has been convicted of a violation of division (A) or 1279

(E) of this section, illegally operating as a distributor is a  
felony of the fifth degree.

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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.

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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.

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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:

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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.

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

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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.

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(4) The person, officer, or partner has submitted any 1310  
incorrect or false information relating to the application to the 1311  
attorney general under this section, if the information is 1312  
material to the granting of the license. 1313

(5) The person, officer, or partner has failed to correct any 1314  
incorrect or false information that is material to the granting of 1315  
the license in the records required to be maintained under 1316  
division (F) of section 2915.10 of the Revised Code. 1317

(6) The person, officer, or partner has had a license related 1318  
to gambling revoked or suspended under the laws of this state, 1319  
another state, or the United States. 1320

(D)(1) No manufacturer shall sell, offer to sell, or 1321  
otherwise provide or offer to provide bingo supplies to any person 1322  
for use in this state except to a distributor that has been issued 1323  
a license under section 2915.081 of the Revised Code. No 1324  
manufacturer shall accept payment for the sale of bingo supplies 1325  
other than by check. A manufacturer must receive payment by check 1326  
not later than forty-five days after the date the manufacturer 1327  
ships bingo supplies to a distributor. If the distributor fails to 1328  
pay the manufacturer within that period, the manufacturer shall 1329  
notify the attorney general. The attorney general then shall 1330  
notify all manufacturers that, until further notice, the 1331  
delinquent distributor shall purchase bingo supplies from them 1332  
only by certified check or money order upon receipt of the bingo 1333  
supplies. 1334

(2) No manufacturer shall knowingly solicit, offer, pay, or 1335  
receive any kickback, bribe, or undocumented rebate, directly or 1336  
indirectly, overtly or covertly, in cash or in kind, in return for 1337  
providing bingo supplies to any person in this state. 1338

(3) No manufacturer shall sell, offer to sell, lease, offer 1339  
to lease, or otherwise provide or offer to provide bingo cards or 1340

sheets other than uniquely identifiable bingo cards or sheets or  
resell or reuse uniquely identifiable bingo cards or sheets,  
including electronic representations or image formats.

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

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

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

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

(2) Use all of the gross receipts from ~~the~~ bingo game for  
paying prizes, for ~~the charitable purposes listed in its bingo~~  
~~license application~~ renting premises in which to conduct bingo,  
for purchasing or leasing bingo ~~cards and other equipment~~ supplies  
used in conducting ~~the~~ bingo game, for hiring security personnel  
~~for the bingo game, or for~~ advertising the bingo game, or for  
other expenses listed in division (LL) of section 2915.01 of the  
Revised Code, provided that the amount of the receipts so spent is  
not more than is customary and reasonable for a similar purchase,

lease, hiring, or advertising, and for renting premises in which 1372  
to conduct the bingo game, except that if or expense. If the 1373  
building in which the game bingo is conducted is owned by the 1374  
charitable organization conducting the game bingo and it includes 1375  
a form of bingo described in division (S)(1) of section 2915.01 of 1376  
the Revised Code, the charitable organization may deduct from the 1377  
total amount of the gross receipts from each session a sum equal 1378  
to the lesser of six hundred dollars or forty-five per cent of the 1379  
gross receipts from the session bingo described in that division 1380  
as consideration for the use of the premises+. If that charitable 1381  
organization conducts bingo described in division (S)(2) of 1382  
section 2915.01 of the Revised Code, but not simultaneously with 1383  
any bingo described in division (S)(1) of that section, it may 1384  
deduct a sum of not more than five per cent of the gross receipts 1385  
as consideration for the use of the premises. 1386

(3) ~~Conduct~~ Use, or give, donate, or otherwise transfer, all 1387  
of the net profit derived from bingo, other than instant bingo, 1388  
for a charitable purpose listed in its license application and 1389  
described in division (Z) of section 2915.01 of the Revised Code, 1390  
or distribute all of the net profit derived from instant bingo as 1391  
stated in its license application and in accordance with section 1392  
2915.101 of the Revised Code. 1393

(B) No charitable organization that conducts a bingo game 1394  
described in division (S)(1) of section 2915.01 of the Revised 1395  
Code shall fail to do any of the following: 1396

(1) ~~Conduct~~ the bingo game on premises that are owned by the 1397  
charitable organization, on premises that are owned by another 1398  
charitable organization and leased from that charitable 1399  
organization for a rental rate not in excess of ~~four~~ the lesser of 1400  
six hundred ~~fifty~~ dollars per bingo session or forty-five per cent 1401  
of the gross receipts of the bingo session, on premises that are 1402  
leased from a person other than a charitable organization for a 1403

rental rate that is not more than is customary and reasonable for 1404  
premises that are similar in location, size, and quality but not 1405  
in excess of four hundred fifty dollars per bingo session, or on 1406  
premises that are owned by a person other than a charitable 1407  
organization, that are leased from that person by another 1408  
charitable organization, and that are subleased from that other 1409  
charitable organization by the charitable organization for a 1410  
rental rate not in excess of four hundred fifty dollars per bingo 1411  
session. If the charitable organization leases from a person other 1412  
than a charitable organization the premises on which it conducts 1413  
bingo ~~games~~ sessions, the lessor of the premises shall provide 1414  
only the premises to the organization and shall not provide the 1415  
organization with bingo game operators, security personnel, 1416  
concessions or concession operators, bingo ~~equipment~~ supplies, or 1417  
any other type of service or equipment. A charitable organization 1418  
shall not lease or sublease premises that it owns or leases to 1419  
more than one other charitable organization per calendar week for 1420  
the purpose of conducting bingo ~~games~~ sessions on the premises. A 1421  
person that is not a charitable organization shall not lease 1422  
premises that it owns, leases, or otherwise is empowered to lease 1423  
to more than one charitable organization per calendar week for 1424  
conducting bingo ~~games~~ sessions on the premises. In no case shall 1425  
more than two bingo sessions be conducted on any premises in any 1426  
calendar week. 1427

~~(4)~~(2) Display its ~~bingo~~ license conspicuously at the 1428  
~~location~~ premises where the bingo ~~game~~ session is conducted; 1429

~~(5)~~(3) Conduct the bingo ~~game~~ session in accordance with the 1430  
definition of bingo set forth in division (S)(1) of section 1431  
2915.01 of the Revised Code. 1432

~~(B)~~ ~~A~~ (C) No charitable organization that conducts a bingo 1433  
game described in division (S)(1) of section 2915.01 of the 1434  
Revised Code shall ~~not~~ do any of the following: 1435

(1) Pay any compensation to a bingo game operator for 1436  
operating a bingo ~~game~~ session that is conducted by the charitable 1437  
organization or for preparing, selling, or serving food or 1438  
beverages at the site of the bingo ~~game~~ session, permit any 1439  
auxiliary unit or society of the charitable organization to pay 1440  
compensation to any bingo game operator who prepares, sells, or 1441  
serves food or beverages at a bingo session conducted by the 1442  
charitable organization, or permit any auxiliary unit or society 1443  
of the charitable organization to prepare, sell, or serve food or 1444  
beverages at a bingo session conducted by the charitable 1445  
organization, if the auxiliary unit or society pays any 1446  
compensation to the bingo game operators who prepare, sell, or 1447  
serve the food or beverages; 1448

(2) Pay consulting fees to any person for any services 1449  
performed in relation to the bingo ~~game~~ session; 1450

(3) Pay concession fees to any person who provides 1451  
refreshments to the participants in the bingo ~~game~~ session; 1452

(4) ~~Conduct~~ Except as otherwise provided in division (C)(4) 1453  
of this section, conduct more than two bingo sessions in any 1454  
seven-day period. ~~Except that a~~ A volunteer ~~fire fighter's~~ 1455  
firefighter's organization or a volunteer rescue service 1456  
organization that conducts not more than five bingo sessions in a 1457  
calendar year may conduct more than two bingo sessions in a 1458  
seven-day period after notifying the attorney general when it will 1459  
conduct the sessions~~+~~. 1460

(5) Pay out more than three thousand five hundred dollars in 1461  
prizes during any bingo session that is conducted by the 1462  
charitable organization; 1463

(6) Conduct a bingo session at any time during the ten-hour 1464  
period between midnight and ten a.m., at any time during, or 1465  
within ten hours of, a bingo game conducted for amusement only 1466



pursuant to section 2915.12 of the Revised Code, at any ~~location~~ 1467  
premises not specified on its ~~bingo~~ license, or on any day of the 1468  
week or during any time period not specified on its ~~bingo~~ license. 1469  
If circumstances ~~beyond its control~~ make it ~~impossible~~ impractical 1470  
for the charitable organization to conduct a bingo session at the 1471  
~~location~~ premises, or on the day of the week or at the time, 1472  
specified on its ~~bingo~~ license or if a charitable organization 1473  
wants to conduct bingo sessions on a day of the week or at a time 1474  
other than the day or time specified on its ~~bingo~~ license, the 1475  
charitable organization may apply in writing to the attorney 1476  
general for an amended ~~bingo~~ license, pursuant to division (F) of 1477  
section 2915.08 of the Revised Code. A charitable organization may 1478  
apply ~~only once~~ twice in each calendar year for an amended license 1479  
to conduct bingo sessions on a day of the week or at a time other 1480  
than the day or time specified on its ~~bingo~~ license. If the 1481  
amended license is granted, the organization may conduct bingo 1482  
sessions at the ~~location~~ premises, on the day of the week, and at 1483  
the time specified on its amended license. 1484

(7) Permit any person whom the charitable organization knows, 1485  
or should have known, is under the age of eighteen to work as a 1486  
bingo game operator; 1487

(8) Permit any person whom the charitable organization knows, 1488  
or should have known, has been convicted of a felony or gambling 1489  
offense in any jurisdiction to be a bingo game operator; 1490

(9) Permit the lessor of the premises on which the bingo 1491  
session is conducted, if the lessor is not a charitable 1492  
organization, to provide the charitable organization with bingo 1493  
game operators, security personnel, concessions, bingo ~~equipment~~ 1494  
supplies, or any other type of service or equipment; 1495

(10) Purchase or lease bingo supplies from any person except 1496  
a distributor issued a license under section 2915.081 of the 1497  
Revised Code; 1498

<u>(11) Use bingo cards or sheets other than uniquely</u>	1499
<u>identifiable bingo cards or sheets or resell or reuse uniquely</u>	1500
<u>identifiable bingo cards or sheets, including electronic</u>	1501
<u>representations or image formats;</u>	1502
<u>(12)(a) Use or permit the use of electronic bingo aids except</u>	1503
<u>under the following circumstances:</u>	1504
<u>(i) Not more than one hundred forty-four bingo faces can be</u>	1505
<u>played by a single participant using an electronic bingo aid.</u>	1506
<u>(ii) The charitable organization shall provide a participant</u>	1507
<u>using an electronic bingo aid with corresponding paper bingo cards</u>	1508
<u>or sheets.</u>	1509
<u>(iii) The total price of bingo faces played with an</u>	1510
<u>electronic bingo aid shall be equal to the total price of the same</u>	1511
<u>number of bingo faces played with a paper bingo card or sheet sold</u>	1512
<u>at the same bingo session but without an electronic bingo aid.</u>	1513
	1514
<u>(iv) An electronic bingo aid cannot be part of an electronic</u>	1515
<u>network or be interactive.</u>	1516
<u>(v) An electronic bingo aid cannot be used to participate in</u>	1517
<u>bingo that is conducted at a location other than the location at</u>	1518
<u>which the bingo session is conducted and at which the electronic</u>	1519
<u>bingo aid is used.</u>	1520
<u>(vi) An electronic bingo aid cannot be used to provide for</u>	1521
<u>the input of numbers and letters announced by a bingo caller other</u>	1522
<u>than the bingo caller who physically calls the numbers and letters</u>	1523
<u>at the location at which the bingo session is conducted and at</u>	1524
<u>which the electronic bingo aid is used.</u>	1525
<u>(b) The attorney general may adopt rules in accordance with</u>	1526
<u>Chapter 119. of the Revised Code that govern the use of electronic</u>	1527
<u>bingo aids. The rules may include a requirement that an electronic</u>	1528

bingo aid be capable of being audited by the attorney general to 1529  
verify the number of bingo cards or sheets played during each 1530  
bingo session. 1531

~~(C)~~ (D) Except as otherwise provided in this division, no 1532  
charitable organization shall provide to a bingo game operator, 1533  
and no bingo game operator shall ~~not~~ receive or accept, any 1534  
commission, wage, salary, reward, tip, donation, gratuity, or 1535  
other form of compensation, directly or indirectly, regardless of 1536  
the source, for ~~operating a~~ conducting bingo game or providing 1537  
other work or labor at the site of the bingo game. This division 1538  
does not prohibit an employee of a fraternal organization or 1539  
veteran's organization from selling instant bingo tickets or cards 1540  
to the organization's members, as long as no portion of the 1541  
employee's compensation is paid from any receipts of bingo. 1542

~~(D)~~ (E) Notwithstanding division ~~(A)~~ (3) ~~(B)~~ (1) of this section, 1543  
a charitable organization that, prior to December 6, 1977, has 1544  
entered into written agreements for the lease of premises it owns 1545  
to another charitable organization or other charitable 1546  
organizations for the conducting of bingo sessions so that more 1547  
than two bingo sessions are conducted per calendar week on the 1548  
premises, and a person that is not a charitable organization and 1549  
that, prior to December 6, 1977, has entered into written 1550  
agreements for the lease of premises it owns to charitable 1551  
organizations for the conducting of more than two bingo sessions 1552  
per calendar week on the premises, may continue to lease the 1553  
premises to those charitable organizations, provided that no more 1554  
than four sessions are conducted per calendar week, that the 1555  
lessor organization or person has notified the attorney general in 1556  
writing of the organizations that will conduct the sessions and 1557  
the days of the week and the times of the day on which the 1558  
sessions will be conducted, that the initial lease entered into 1559  
with each organization that will conduct the sessions was filed 1560

with the attorney general prior to December 6, 1977, and that each  
organization that will conduct the sessions was issued a license  
to conduct bingo games by the attorney general prior to December  
6, 1977.

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

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

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

(2) Conduct instant bingo unless that organization is, and  
has received from the internal revenue service a determination  
letter that is currently in effect stating that the organization  
is, exempt from federal income taxation under subsection 501(a)  
and is described in subsection 501(c)(3), 501(c)(4), 501(c)(8),  
501(c)(10), or 501(c)(19) of the Internal Revenue Code;

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

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

- (5) Purchase or lease supplies used to conduct instant bingo 1592  
or punch board games from any person except a distributor licensed 1593  
under section 2915.081 of the Revised Code; 1594
- (6) Conduct instant bingo more than twelve hours in any day 1595  
or more than six days in any seven-day period; 1596
- (7) Sell or provide any instant bingo ticket or card for a 1597  
price different from the price printed on it by the manufacturer; 1598
- (8) Use any instant bingo ticket or card as a prize or award. 1599  
Division (A)(8) of this section does not preclude a charitable 1600  
organization from giving a winner of an instant bingo game 1601  
additional instant bingo tickets in lieu of a cash prize. 1602
- (9) Sell an instant bingo ticket or card to a person under 1603  
eighteen years of age; 1604
- (10) Fail to keep unsold instant bingo tickets or cards for 1605  
less than three years; 1606
- (11) Pay any compensation to a bingo game operator for 1607  
conducting instant bingo that is conducted by the organization or 1608  
for preparing, selling, or serving food or beverages at the site 1609  
of the instant bingo game, permit any auxiliary unit or society of 1610  
the organization to pay compensation to any bingo game operator 1611  
who prepares, sells, or serves food or beverages at an instant 1612  
bingo game conducted by the organization, or permit any auxiliary 1613  
unit or society of the organization to prepare, sell, or serve 1614  
food or beverages at an instant bingo game conducted by the 1615  
organization, if the auxiliary unit or society pays any 1616  
compensation to the bingo game operators who prepare, sell, or 1617  
serve the food or beverages; 1618
- (12) Pay fees to any person for any services performed in 1619  
relation to an instant bingo game; 1620
- (13) Pay fees to any person who provides refreshments to the 1621

participants in an instant bingo game;

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(14) Allow instant bingo tickets or cards to be sold to bingo  
game operators who are performing work or labor at a premises at  
which the organization sells instant bingo tickets or cards or to  
be sold to employees of a D permit holder who are working at a  
premises at which instant bingo tickets or cards are sold on  
behalf of the organization as described in division (B)(3) of  
section 4301.03 of the Revised Code;

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

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

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

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(B)(1) A charitable organization may conduct instant bingo  
other than at a bingo session at not more than five separate  
locations.

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

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(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

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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) 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) 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.

(B) No charitable organization shall conduct a raffle unless the organization is, and has received from the internal revenue service a determination letter that is currently in effect stating that the organization is, exempt from federal income taxation under subsection 501(a) and is described in subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code.

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

(D) Whoever violates division (B) or (C) 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) or (C) of this

section, illegal conduct of a raffle is a felony of the fifth  
degree.

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

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

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

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

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

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(5) The number of persons who participate in any bingo 1715  
session ~~or scheme~~ or game of chance that is conducted by the 1716  
charitable organization; 1717

(6) A list of receipts from the sale of food and beverages by 1718  
the charitable organization or one of its auxiliary units or 1719  
societies, if the receipts were excluded from ~~the definition of~~ 1720  
"gross receipts" under division (X) of section 2915.01 of the 1721  
Revised Code; 1722

(7) An itemized list of all expenses incurred at each bingo 1723  
session, each raffle, each punch board game, or each game of 1724  
instant bingo conducted by the charitable organization in the sale 1725  
of food and beverages by the charitable organization or by an 1726  
auxiliary unit or society of the charitable organization, the name 1727  
of each person to whom the expenses are paid, and a receipt for 1728  
all of the expenses. 1729

(B) The gross profit from each bingo session or game 1730  
described in division (S)(1) or (2) of section 2915.01 of the 1731  
Revised Code shall be deposited into a checking account devoted 1732  
exclusively to the bingo session or game. Payments for allowable 1733  
expenses incurred in conducting the bingo session or game and 1734  
payments to recipients of some or all of the net profit of the 1735  
bingo session or game shall be made only by checks drawn on the 1736  
bingo session or game account. 1737

(C) Each charitable organization shall conduct and record an 1738  
inventory of all of its bingo supplies as of the first day of 1739  
November of each year. 1740

(D) The attorney general may adopt rules in accordance with 1741  
Chapter 119. of the Revised Code that establish standards of 1742  
accounting, record keeping, and reporting to ensure that gross 1743  
receipts from bingo or games of chance are properly accounted for. 1744

(E) A distributor shall maintain, for a period of three years 1745

after the date of its sale or other provision, a record of each  
instance of its selling or otherwise providing to another person  
bingo supplies for use in this state. The record shall include all  
of the following for each instance:

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

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

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

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

(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:

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

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

(3) Invoices that include the nonrepeating serial numbers of  
all bingo cards and sheets and all instant bingo tickets or cards  
sold or otherwise provided to each distributor.

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

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

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

(3) Conduct inspections, audits, and observations of bingo 1775  
~~games or schemes~~ or games of chance ~~while they are in session;~~ 1776

(4) Conduct inspections of the premises where bingo ~~games or~~ 1777  
~~schemes~~ or games of chance are ~~operated~~ conducted; 1778

(5) Take any other necessary and reasonable action to 1779  
determine if a violation of any provision of sections 2915.01, 1780  
~~2915.02, and 2915.07~~ to 2915.12 of the Revised Code has occurred 1781  
and to determine whether section 2915.11 of the Revised Code has 1782  
been complied with. 1783

If any local law enforcement agency has reasonable grounds to 1784  
believe that a charitable organization or an officer, agent, 1785  
trustee, member, or employee of the organization has violated any 1786  
provision of this chapter, the local law enforcement agency may 1787  
proceed by action in the proper court to enforce this chapter, 1788  
provided that the local law enforcement agency shall give written 1789  
notice to the attorney general when commencing an action as 1790  
described in this division. 1791

~~(C)~~(H) No person shall destroy, alter, conceal, withhold, or 1792  
deny access to any accounts or records of a charitable 1793  
organization that have been requested for examination, or 1794  
obstruct, impede, or interfere with any inspection, audit, or 1795  
observation of ~~a bingo game or scheme or a~~ game of chance or 1796  
premises where ~~a bingo game or scheme or a~~ game of chance is 1797  
~~operated~~ conducted, or refuse to comply with any reasonable 1798  
request of, or obstruct, impede, or interfere with any other 1799  
reasonable action undertaken by, the attorney general or a local 1800  
law enforcement agency pursuant to division ~~(B)~~(G) of this 1801  
section. 1802

~~(D)~~(I) Whoever violates division (A) or ~~(C)~~(H) of this 1803  
section is guilty of a misdemeanor of the first degree. 1804

Sec. 2915.101. A charitable organization that conducts 1805  
instant bingo shall distribute the net profit derived from instant 1806  
bingo as follows: 1807

(A)(1) If a veteran's organization or a fraternal 1808  
organization conducted the instant bingo, the organization shall 1809  
distribute the net profit as follows: 1810

(a) Fifty per cent shall be distributed to an organization 1811  
listed in division (Z) of section 2915.01 of the Revised Code or 1812  
to a department or agency of the federal government, the state, or 1813  
any political subdivision; 1814

(b) Twenty per cent may be distributed for the organization's 1815  
own charitable purposes; 1816

(c) Thirty per cent may be deducted and retained by the 1817  
organization for the organization. 1818

(2) If a veteran's organization or a fraternal organization 1819  
does not distribute the full percentages specified in divisions 1820  
(A)(1)(b) and (c) of this section as authorized in those 1821  
divisions, the organization shall distribute the balance of the 1822  
net profit not so distributed to an organization listed in 1823  
division (Z) of section 2915.01 of the Revised Code. 1824

(B)(1) If a charitable organization other than a veteran's 1825  
organization or a fraternal organization conducted the instant 1826  
bingo, the organization shall distribute the net profit as 1827  
follows: 1828

(a) Seventy per cent shall be distributed to an organization 1829  
listed in division (Z) of section 2915.01 of the Revised Code or 1830  
to a department or agency of the federal government, the state, or 1831  
any political subdivision; 1832

(b) Thirty per cent may be deducted and retained by the 1833  
organization for the organization. 1834

(2) If a charitable organization does not distribute the full 1835  
percentage specified in division (B)(1)(b) of this section as 1836  
authorized in that division, the organization shall distribute the 1837  
balance of the net profit not so distributed to an organization 1838  
listed in division (Z) of section 2915.01 of the Revised Code. 1839

**Sec. 2915.12.** Sections 2915.07 to 2915.11 of the Revised Code 1840  
do not apply to bingo games that are conducted for the purpose of 1841  
amusement only. A bingo game is conducted for the purpose of 1842  
amusement only if it complies with all of the requirements 1843  
specified in either division (A) or (B) of this section: 1844

(A)(1) The participants do not pay any money or any other 1846  
thing of value including an admission fee, or any fee for bingo 1847  
cards, or sheets, objects to cover the spaces, or other devices 1848  
used in playing bingo, for the privilege of participating in the 1849  
bingo game, or to defray any costs of the game, or pay tips or 1850  
make donations during or immediately before or after the bingo 1851  
game+. 1852

(2) All prizes awarded during the course of the game are 1853  
nonmonetary, and in the form of merchandise, goods, or 1854  
entitlements to goods or services only, and the total value of all 1855  
prizes awarded during the game is less than one hundred dollars+. 1856

(3) No commission, wages, salary, reward, tip, donation, 1857  
gratuity, or other form of compensation, either directly or 1858  
indirectly, and regardless of the source, is paid to any bingo 1859  
game operator for work or labor performed at the site of the bingo 1860  
game+. 1861

(4) The bingo game is not conducted either during or within 1862  
ten hours of any of the following: 1863

(a) A bingo session during which a charitable bingo game is 1864

conducted pursuant to sections 2915.07 to 2915.11 of the Revised  
Code; 1865  
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(b) A scheme or game of chance ~~other than a bingo game~~ 1867  
~~conducted pursuant to this section, or bingo described in division~~ 1868  
~~(S)(2) of section 2915.01 of the Revised Code.~~ 1869

(5) The number of players participating in the bingo game 1870  
does not exceed fifty. 1871

(B)(1) The participants do not pay money or any other thing 1872  
of value as an admission fee, and no participant is charged more 1873  
than twenty-five cents to purchase a bingo card, or sheet, objects 1874  
to cover the spaces, or other devices used in playing bingo. 1875

(2) The total amount of money paid by all of the participants 1876  
for bingo cards, or sheets, objects to cover the spaces, or other 1877  
devices used in playing bingo does not exceed one hundred 1878  
dollars. 1879

(3) All of the money paid for bingo cards, or sheets, objects 1880  
to cover spaces, or other devices used in playing bingo ~~are~~ is 1881  
used only to pay winners monetary and nonmonetary prizes and to 1882  
provide refreshments. 1883

(4) The total value of all prizes awarded during the game 1884  
does not exceed one hundred dollars. 1885

(5) No commission, wages, salary, reward, tip, donation, 1886  
gratuity, or other form of compensation, either directly or 1887  
indirectly, and regardless of the source, is paid to any bingo 1888  
game operator for work or labor performed at the site of the bingo 1889  
game. 1890

(6) The bingo game is not conducted during or within ten 1891  
hours of either of the following: 1892

(a) A bingo session during which a charitable bingo game is 1893  
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1894

Code; 1895

(b) A scheme of chance or game of chance ~~other than a bingo~~ 1896  
~~game conducted pursuant to this section, or bingo described in~~ 1897  
~~division (S)(2) of section 2915.01 of the Revised Code.~~ 1898

(7) All of the participants reside at the premises where the 1899  
bingo game is conducted~~+~~. 1900

(8) The bingo games are conducted on different days of the 1901  
week and not more than twice in a calendar week. 1902

~~(c)~~ The attorney general~~+~~, or any local law enforcement 1903  
agency~~+~~, may investigate the conduct of a bingo game that 1904  
purportedly is conducted for purposes of amusement only if there 1905  
is reason to believe that the purported amusement bingo game does 1906  
not comply with the requirements of either division (A) or (B) of 1907  
this section. A local law enforcement agency may proceed by action 1908  
in the proper court to enforce this section if the local law 1909  
enforcement agency gives written notice to the attorney general 1910  
when commencing the action. 1911

**Sec. 3763.01.** (A) All promises, agreements, notes, bills, 1912  
bonds~~+~~, or other contracts, mortgages, or other securities, when 1913  
the whole or part of the consideration thereof is for money or 1914  
other valuable thing won or lost, laid, staked, or betted at or 1915  
upon a game of any kind, or upon a horse race or cockfights, sport 1916  
or pastime, or on a wager, or for the repayment of money lent or 1917  
advanced at the time of a game, play, or wager, for the purpose of 1918  
being laid, betted, staked, or wagered, are void. 1919

(B) Sections 3763.01 to 3763.08 of the Revised Code do not 1920  
apply to ~~a charitable bingo game~~ as defined in ~~division (O) of~~ 1921  
section 2915.01 of the Revised Code or to any ~~scheme or~~ game of 1922  
chance that is not subject to criminal penalties under section 1923  
2915.02 of the Revised Code. 1924

Sec. 4301.03. The liquor control commission may adopt ~~and~~ 1925  
~~promulgate~~, repeal, rescind, and amend, in the manner required by 1926  
this section, rules, standards, requirements, and orders necessary 1927  
to carry out ~~Chapters 4301.~~ this chapter and Chapter 4303. of the 1928  
Revised Code, but all rules of the board of liquor control which 1929  
were in effect immediately prior to April 17, 1963, shall remain 1930  
in full force and effect as rules of the liquor control commission 1931  
until and unless amended or repealed by the ~~liquor control~~ 1932  
commission. The rules of the commission may include the following: 1933

(A) Rules with reference to applications for and the issuance 1935  
of permits for the manufacture, distribution, transportation, and 1936  
sale of beer and intoxicating liquor, and the sale of alcohol; and 1937  
rules governing the procedure of the division of liquor control in 1938  
the suspension, revocation, and cancellation of ~~such those~~ 1939  
permits; 1940

(B)(1) Rules and orders providing in detail for the conduct 1941  
of any retail business authorized under permits issued pursuant to 1942  
~~such those~~ chapters, with a view to ensuring compliance with ~~such~~ 1943  
~~those~~ chapters and laws relative ~~thereto to them~~, and the 1944  
maintenance of public decency, sobriety, and good order in any 1945  
place licensed under ~~such those~~ permits. ~~No~~ 1946

(2) No rule or order shall prohibit the sale of lottery 1947  
tickets issued pursuant to Chapter 3770. of the Revised Code by 1948  
any retail business authorized under permits issued pursuant to 1949  
~~such that~~ chapter. 1950

(3) No rule or order shall prohibit pari-mutuel wagering on 1951  
simulcast horse races at a satellite facility that has been issued 1952  
a D liquor permit under Chapter 4303. of the Revised Code. No rule 1953  
or order shall prohibit a charitable organization ~~that holds a D-4~~ 1954  
~~permit from selling or serving beer or intoxicating liquor under~~ 1955



its permit in a portion of its premises merely because that 1956  
portion of its premises is used at other times for the conduct of 1957  
a charitable from conducting bingo game as described in division 1958  
(S)(2) of section 2915.01 of the Revised Code on the premises of a 1959  
D permit holder in accordance with Chapter 2915. of the Revised 1960  
Code and the following provisions: 1961

(a) The bingo shall be conducted by a charitable organization 1962  
that has obtained a license under section 2915.08 of the Revised 1963  
Code and that has entered into an agreement with the D permit 1964  
holder to authorize the permit holder to conduct the bingo on 1965  
behalf of the organization. 1966

(b) All bingo supplies sold or offered for sale by the D 1967  
permit holder shall be obtained from the charitable organization. 1968  
Within seven days after the conduct of each game for which 1969  
supplies are so provided, the D permit holder shall pay to the 1970  
charitable organization a sum equal to the definite profit of that 1971  
game. As used in division (B)(3)(b) of this section, "definite 1972  
profit" means the amount remaining after all the tickets or cards 1973  
in the game are sold at the price stated on the tickets or cards 1974  
and all prizes are paid. 1975

(c) The charitable organization shall keep a record of all 1976  
bingo supplies sold or offered for sale by the D permit holder. 1977  
The record shall list each game for which supplies are provided by 1978  
serial number and record the definite profit of each such game. 1979

(d) The permit of the D permit holder is subject to 1980  
suspension, revocation, or cancellation if the D permit holder or 1981  
the permit holder's employees violate a provision of sections 1982  
2915.01 to 2915.11 of the Revised Code while conducting bingo on 1983  
the permit holder's premises. However, such an organization shall 1984  
not sell or serve beer or intoxicating liquor or permit beer or 1985  
intoxicating liquor to be consumed or seen in the same location in 1986  
its premises where a charitable bingo game is being conducted 1987

~~while the game is being conducted. As~~ 1988

~~As used in this division divisions (B)(3) and (4) of this~~ 1989  
~~section, "charitable organization," has the same meaning as in~~ 1990  
~~division (H) of section 2915.01 "bingo supplies," and "charitable~~ 1991  
~~bingo game" has have the same meaning meanings as in division (R)~~ 1992  
~~of section 2915.01 of the Revised Code. No~~ 1993

(4) No rule or order shall prohibit a charitable organization 1994  
that holds an F or F-2 permit from selling or serving beer or 1995  
intoxicating liquor under its permit in a portion of its premises 1996  
merely because that portion of its premises is used at other times 1997  
for the conduct of bingo as described in division (S)(2) of 1998  
section 2915.01 of the Revised Code or of games of chance 1999  
conducted in accordance with division (D)(1)(c) of section 2915.02 2000  
of the Revised Code. 2001

(5) No rule or order pertaining to visibility into the 2002  
premises of a permit holder after the legal hours of sale shall be 2003  
adopted or maintained by the commission. 2004

(C) Standards, not in conflict with those prescribed by any 2005  
law of this state or the United States, to secure the use of 2006  
proper ingredients and methods in the manufacture of beer, malt 2007  
liquor, mixed beverages, and wine to be sold within this state; 2008

(D) Rules determining the nature, form, and capacity of all 2009  
packages and bottles to be used for containing beer or 2010  
intoxicating liquor except for spirituous liquor to be kept or 2011  
sold, governing the form of all seals and labels to be used 2012  
~~thereon on the packages and bottles,~~ and requiring the label on 2013  
every package, bottle, and container to state the ingredients in 2014  
the contents and, except on malt beverages, the terms of weight, 2015  
volume, or proof spirits, and whether the same is beer, wine, 2016  
alcohol, or any intoxicating liquor except for spirituous liquor; 2017

(E) Uniform rules governing all advertising with reference to 2018

the sale of beer and intoxicating liquor throughout the state and 2019  
advertising upon and in the premises licensed for the sale of beer 2020  
or intoxicating liquor; 2021

(F) Rules restricting and placing conditions upon the 2022  
transfer of permits; 2023

(G) Rules and orders limiting the number of permits of any 2024  
class within the state or within any political subdivision of the 2025  
state; and, for ~~such~~ that purpose, adopting reasonable 2026  
classifications of persons or establishments to which any 2027  
authorized class of permits may be issued within any ~~such~~ 2028  
political subdivision; 2029

(H) Rules and orders with reference to sales of beer and 2030  
intoxicating liquor on Sundays and holidays and with reference to 2031  
the hours of the day during which and the persons to whom 2032  
intoxicating liquor of any class may be sold, and rules with 2033  
reference to the manner of sale; 2034

(I) Rules requiring permit holders buying beer and malt 2035  
beverages to pay, and permit holders selling beer and malt 2036  
beverages to collect, minimum cash deposits for kegs, cases, 2037  
bottles, or other returnable containers of ~~such~~ beer and malt 2038  
beverages; requiring the repayment, or credit therefor, of ~~such~~ 2039  
the minimum cash deposit charges upon the return of ~~such~~ empty 2040  
containers, and requiring the posting of such form of indemnity 2041  
or such other conditions with respect to the charging, collection, 2042  
and repayment of minimum cash deposit charges for returnable 2043  
containers of beer or malt beverages as are necessary to ensure 2044  
the return of ~~such~~ empty containers or the repayment upon ~~such~~ 2045  
their return of the minimum cash deposits paid ~~therefor.~~ for them; 2046

(J) Rules establishing the method by which alcohol products 2047  
may be imported for sale by wholesale distributors and the method 2048  
by which manufacturers and suppliers may sell alcohol products to 2049

wholesale distributors.

Every rule, standard, requirement, or order of the commission, and every repeal, amendment, or rescission ~~thereof of~~ them shall be posted for public inspection in the principal office of the commission and the principal office of the division of liquor control, and a certified copy ~~thereof of them~~ shall be filed in the office of the secretary of state. An order applying only to persons named ~~therein in it~~ shall be served on the persons affected by personal delivery of a certified copy, or by mailing ~~such a~~ certified copy to each person affected ~~thereby by it~~, or, in the case of a corporation, to any officer or agent ~~thereof of the corporation~~ upon whom a service of summons may be served in a civil action. The posting and filing required by this section constitutes sufficient notice to all persons affected by ~~such a~~ rule or order ~~which that~~ is not required to be served. General rules of the commission promulgated pursuant to this section shall be published in ~~such a the~~ manner as the commission determines.

**Sec. 4303.17.** Permit D-4 may be issued to a club which has been in existence for three years or more prior to the issuance of ~~such the~~ permit to sell beer and any intoxicating liquor to its members only, in glass or container, for consumption on the premises where sold. The fee for this permit is three hundred seventy-five dollars. No such permit shall be granted or retained until all elected officers of ~~such the~~ organization controlling ~~such the~~ club have filed with the division of liquor control a statement certifying that ~~such the~~ club is operated in the interest of the membership of a reputable organization, which is maintained by a dues paying membership, setting forth the amount of initiation fee and yearly dues. All such matters shall be contained in a statement signed under oath and accompanied by a surety bond in the sum of one thousand dollars. ~~Such The~~ bond shall be declared forfeited in the full amount of the penal sum of

the bond for any false statement contained in ~~such the~~ 2082  
certificate, and the surety shall pay the amount of the bond to 2083  
the division. The roster of membership of a D-4 permit holder 2084  
shall be submitted under oath on the request of the superintendent 2085  
of liquor control. Any information acquired by the superintendent 2086  
or the division with respect to ~~such that~~ membership shall not be 2087  
open to public inspection or examination and may be divulged by 2088  
the superintendent and the division only in hearings before the 2089  
liquor control commission or in a court action in which the 2090  
division or the superintendent is named a party. 2091

The requirement that a club shall have been in existence for 2092  
three years in order to qualify for a D-4 permit does not apply to 2093  
units of organizations chartered by congress or to a subsidiary 2094  
unit of a national fraternal organization if the parent 2095  
organization has been in existence for three years or more at the 2096  
time application for a permit is made by ~~such the~~ unit. 2097

No rule or order of the division or commission shall prohibit 2098  
a charitable organization ~~that holds a D-4 permit from selling or~~ 2099  
~~serving beer or intoxicating liquor under its permit in a portion~~ 2100  
~~of its premises merely because that portion of its premises is~~ 2101  
~~used at other times for the conduct of a charitable from~~ 2102  
conducting bingo game as described in division (S)(2) of section 2103  
2915.01 of the Revised Code on the premises of a D-4 permit holder 2104  
in accordance with Chapter 2915. of the Revised Code and the 2105  
provisions of division (B)(3) of section 4301.03 of the Revised 2106  
Code. However, ~~such an organization shall not sell or serve beer~~ 2107  
~~or intoxicating liquor or permit beer or intoxicating liquor to be~~ 2108  
~~consumed or seen in the same location in its premises where a~~ 2109  
~~charitable bingo game is being conducted while the game is being~~ 2110  
~~conducted.~~ As used in this section, "charitable organization" ~~has~~ 2111  
~~the same meaning as in division (H) of section 2915.01 and~~ 2112  
"charitable bingo game" ~~has~~ have the same ~~meaning~~ meanings as in 2113

~~division (R) of section 2915.01 of the Revised Code.~~ 2114

**Section 2.** That existing sections 109.32, 173.121, 1531.01, 2115  
1711.09, 2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2116  
2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 of the Revised 2117  
Code are hereby repealed. 2118

**Section 3.** The annual license fees prescribed by division 2119  
(A)(1) of section 2915.08 of the Revised Code, as amended by this 2120  
act, shall not be applied until one year after the effective date 2121  
of this act. 2122

**Section 4.** During the first two hundred ten days following 2123  
the effective date of this act, no distributor shall be required 2124  
to be licensed under division (A) of section 2915.081 of the 2125  
Revised Code, as enacted by this act. All applicants that apply 2126  
for an initial license under that division within one hundred 2127  
eighty days after the effective date of this act shall receive a 2128  
provisional license that is effective on the two hundred and tenth 2129  
day after that effective date and that authorizes all activities 2130  
permitted by that section. 2131

**Section 5.** During the first two hundred ten days following 2132  
the effective date of this act, no manufacturer shall be required 2133  
to be licensed under division (A) of section 2915.082 of the 2134  
Revised Code, as enacted by this act. All applicants that apply 2135  
for an initial license under that division within one hundred 2136  
eighty days after the effective date of this act shall receive a 2137  
provisional license that is effective on the two hundred and tenth 2138  
day after that effective date and that authorizes all activities 2139  
permitted by that section. 2140

**Section 6.** Divisions (D) and (E)(4) of section 2915.081 of 2141

the Revised Code, as enacted by this act, shall not be applied 2142  
against any distributor until one year after the distributor is 2143  
granted a distributor's license under that section if the 2144  
distributor possesses an interest in any premises used for the 2145  
conduct of bingo on the effective date of this act. 2146

**Section 7.** Division (A)(4) of section 2915.08 of the Revised 2147  
Code shall not be applied until one year after the effective date 2148  
of this act. 2149

**Section 8.** Section 2915.09 of the Revised Code is presented 2150  
in this act as a composite of the section as amended by both Am. 2151  
Sub. S.B. 70 and Am. Sub. S.B. 2 of the 121st General Assembly. 2152  
The General Assembly, applying the principle stated in division 2153  
(B) of section 1.52 of the Revised Code that amendments are to be 2154  
harmonized if reasonably capable of simultaneous operation, finds 2155  
that the composite is the resulting version of the section in 2156  
effect prior to the effective date of the section as presented in 2157  
this act. 2158