

As Passed by the Senate

124th General Assembly

Regular Session

2001-2002

Am. 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
SENATORS Spada, Jacobson**

A B I L L

To amend sections 109.32, 173.121, 1531.01, 1711.09,	1
2915.01, 2915.02, 2915.04, 2915.05, 2915.07 to	2
2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 and	3
to enact sections 2915.081, 2915.082, 2915.091,	4
2915.092, 2915.101, and 2915.13 of the Revised Code	5
to define "bingo" to include bingo, instant bingo,	6
punch boards, and raffles; to increase the license	7
fee to two hundred dollars for a license that	8
authorizes charitable organizations to conduct	9
bingo, to create a separate license that authorizes	10
charitable organizations to conduct instant bingo	11
with a license fee based on all money or assets	12
received from instant bingo, and to allow the	13
Attorney General to set the license fee for new	14
licensees; to require the licensing of	15
manufacturers and distributors of bingo supplies;	16
to regulate the conduct of instant bingo and	17
raffles; and to make other changes in the	18
Charitable Gambling Law.	19

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

Section 1. That sections 109.32, 173.121, 1531.01, 1711.09, 20
2915.01, 2915.02, 2915.04, 2915.05, 2915.07, 2915.08, 2915.09, 21
2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 be amended and 22
sections 2915.081, 2915.082, 2915.091, 2915.092, 2915.101, and 23
2915.13 of the Revised Code be enacted to read as follows: 24

Sec. 109.32. All annual filing fees obtained by the attorney 25
general pursuant to section 109.31 of the Revised Code, all 26
receipts obtained from the sale of the charitable law foundations 27
directory, ~~and~~ all registration fees received by the attorney 28
general, bond forfeitures, awards of costs and attorney's fees, 29
and civil penalties assessed under Chapter 1716. of the Revised 30
Code, and all license fees received by the attorney general under 31
section 2915.08, 2915.081, or 2915.082 of the Revised Code shall 32
be paid into the state treasury to the credit of the charitable 33
law fund. The charitable law fund shall be used insofar as its 34
moneys are available for the expenses of the charitable law 35
section of the office of the attorney general, except that all 36
annual license fees that are received by the attorney general 37
under section 2915.08, 2915.081, or 2915.082 of the Revised Code 38
and that are credited to the fund shall be used by the attorney 39
general, or any local law enforcement agency in cooperation with 40
the attorney general, for the purposes specified in division (G) 41
of section 2915.10 of the Revised Code and to administer and 42
enforce Chapter 2915. of the Revised Code. The expenses of the 43
charitable law section in excess of moneys available in the 44
charitable law fund shall be paid out of regular appropriations to 45
the office of the attorney general. 46

Sec. 173.121. (A) As used in this section, "bingo," "bingo 47

game operator," and "participant" have the same meanings as in 48
section 2915.01 of the Revised Code. 49

(B) Notwithstanding sections 2915.07 to ~~2915.12~~ 2915.13 of 50
the Revised Code, a multipurpose senior center may conduct bingo 51
games described in division (S)(1) of section 2915.01 of the 52
Revised Code, but only if it complies with all of the following 53
requirements: 54

(1) All bingo games are conducted only on the premises of the 55
facility~~+~~. 56

(2) All participants are sixty years of age or older~~+~~. 57

(3) All bingo game operators are sixty years of age or older 58
and receive no compensation for serving as operators~~+~~. 59

(4) No participant is charged an admission fee~~+~~ and no 60
participant is charged more than twenty-five cents to purchase a 61
bingo card or ~~a card, sheet, or other device described in division~~ 62
~~(S)(2)(a) of section 2915.01 of the Revised Code~~~~+~~. 63

(5) All proceeds from games are used only for any of the 64
following: 65

(a) To pay winners monetary or nonmonetary prizes; 66

(b) To provide refreshments; 67

(c) To defray any costs directly related to conducting the 68
games; 69

(d) To defray costs of services the facility provides in 70
accordance with section 173.12 of the Revised Code. 71

Sec. 1531.01. As used in this chapter and Chapter 1533. of 72
the Revised Code: 73

(A) "Person" means individual, company, partnership, 74
corporation, municipal corporation, association, or any 75

combination of individuals, or any employee, agent, or officer
thereof.

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

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

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

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

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

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

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

(I) "Bag limit" means the number, measurement, or weight of
any kind of crayfish, aquatic insects, fish, frogs, turtles, wild

birds, and wild quadrupeds permitted to be taken. 106

(J) "Transport and transportation" means carrying or moving 107
or causing to be carried or moved. 108

(K) "Sell and sale" means barter, exchange, or offer or 109
expose for sale. 110

(L) "Whole to include part" means that every provision 111
relating to any wild animal protected by this chapter and Chapter 112
1533. of the Revised Code applies to any part of the wild animal 113
with the same effect as it applies to the whole. 114

(M) "Angling" means fishing with not more than two hand 115
lines, not more than two units of rod and line, or a combination 116
of not more than one hand line and one rod and line, either in 117
hand or under control at any time while fishing. The hand line or 118
rod and line shall have attached to it not more than three baited 119
hooks, not more than three artificial fly rod lures, or one 120
artificial bait casting lure equipped with not more than three 121
sets of three hooks each. 122

(N) "Trotline" means a device for catching fish that consists 123
of a line having suspended from it, at frequent intervals, 124
vertical lines with hooks attached. 125

(O) "Fish" means a cold-blooded vertebrate having fins. 126

(P) "Measurement of fish" means length from the end of the 127
nose to the longest tip or end of the tail. 128

(Q) "Wild birds" includes game birds and nongame birds. 129

(R) "Game" includes game birds, game quadrupeds, and 130
fur-bearing animals. 131

(S) "Game birds" includes mourning doves, ringneck pheasants, 132
bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated 133
grouse, wild turkey, Hungarian partridge, Chukar partridge, 134
woodcocks, black-breasted plover, golden plover, Wilson's snipe or 135

jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, 136
duck, geese, brant, and crows. 137

(T) "Nongame birds" includes all other wild birds not 138
included and defined as game birds. 139

(U) "Wild quadrupeds" includes game quadrupeds and 140
fur-bearing animals. 141

(V) "Game quadrupeds" includes cottontail rabbits, gray 142
squirrels, black squirrels, fox squirrels, red squirrels, flying 143
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, 144
wild boar, and black bears. 145

(W) "Fur-bearing animals" includes minks, weasels, raccoons, 146
skunks, opossums, muskrats, fox, beavers, badgers, otters, 147
coyotes, and bobcats. 148

(X) "Wild animals" includes mollusks, crustaceans, aquatic 149
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, 150
and all other wild mammals, but does not include domestic deer. 151

(Y) "Hunting" means pursuing, shooting, killing, following 152
after or on the trail of, lying in wait for, shooting at, or 153
wounding wild birds or wild quadrupeds while employing any device 154
commonly used to kill or wound wild birds or wild quadrupeds 155
whether or not the acts result in killing or wounding. "Hunting" 156
includes every attempt to kill or wound and every act of 157
assistance to any other person in killing or wounding or 158
attempting to kill or wound wild birds or wild quadrupeds. 159

(Z) "Trapping" means securing or attempting to secure 160
possession of a wild bird or wild quadruped by means of setting, 161
placing, drawing, or using any device that is designed to close 162
upon, hold fast, confine, or otherwise capture a wild bird or wild 163
quadruped whether or not the means results in capture. "Trapping" 164
includes every act of assistance to any other person in capturing 165
wild birds or wild quadrupeds by means of the device whether or 166

not the means results in capture. 167

(AA) "Muskrat spear" means any device used in spearing 168
muskrats. 169

(BB) "Channels and passages" means those narrow bodies of 170
water lying between islands or between an island and the mainland 171
in Lake Erie. 172

(CC) "Island" means a rock or land elevation above the waters 173
of Lake Erie having an area of five or more acres above water. 174
175

(DD) "Reef" means an elevation of rock, either broken or in 176
place, or gravel shown by the latest United States chart to be 177
above the common level of the surrounding bottom of the lake, 178
other than the rock bottom, or in place forming the base or 179
foundation rock of an island or mainland and sloping from the 180
shore of it. "Reef" also means all elevations shown by that chart 181
to be above the common level of the sloping base or foundation 182
rock of an island or mainland, whether running from the shore of 183
an island or parallel with the contour of the shore of an island 184
or in any other way and whether formed by rock, broken or in 185
place, or from gravel. 186

(EE) "Fur farm" means any area used exclusively for raising 187
fur-bearing animals or in addition thereto used for hunting game, 188
the boundaries of which are plainly marked as such. 189

(FF) "Waters" includes any lake, pond, reservoir, stream, 190
channel, lagoon, or other body of water, or any part thereof, 191
whether natural or artificial. 192

(GG) "Crib" or "car" refers to that particular compartment of 193
the net from which the fish are taken when the net is lifted. 194

(HH) "Commercial fish" means those species of fish permitted 195
to be taken, possessed, bought, or sold unless otherwise 196

restricted by the Revised Code or division rule and are alewife 197
(*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), bowfin 198
(*Amia calva*), burbot (*Lota lota*), carp (*Cyprinus carpio*), 199
smallmouth buffalo (*Ictiobus bubalus*), bigmouth buffalo (*Ictiobus* 200
cyprinellus), black bullhead (*Ictalurus melas*), yellow bullhead 201
(*Ictalurus natalis*), brown bullhead (*Ictalurus nebulosus*), channel 202
catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictis* 203
olivaris), whitefish (*Coregonus* sp.), cisco (*Coregonus* sp.), 204
freshwater drum or sheepshead (*Aplodinotus grunniens*), gar 205
(*Lepisosteus* sp.), gizzard shad (*Dorosoma cepedianum*), goldfish 206
(*Carassius auratus*), lake trout (*Salvelinus namaycush*), mooneye 207
(*Hiodon tergisus*), quillback (*Carpionodes cyprinus*), smelt 208
(*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* 209
sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other 210
than buffalo and quillback (*Carpionodes* sp., *Catostomus* sp., 211
Hypentelium sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone* 212
chrysops), white perch (*Roccus americanus*), and yellow perch 213
(*Perca flavescens*). When the common name of a fish is used in this 214
chapter or Chapter 1533. of the Revised Code, it refers to the 215
fish designated by the scientific name in this definition. 216

(II) "Fishing" means taking or attempting to take fish by any 217
method, and all other acts such as placing, setting, drawing, or 218
using any device commonly used to take fish whether resulting in a 219
taking or not. 220

(JJ) "Fillet" means the pieces of flesh taken or cut from 221
both sides of a fish, joined to form one piece of flesh. 222

(KK) "Part fillet" means a piece of flesh taken or cut from 223
one side of a fish. 224

(LL) "Round" when used in describing fish means with head and 225
tail intact. 226

(MM) "Migrate" means the transit or movement of fish to or 227

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

(NN) "Spreader bar" means a brail or rigid bar placed across 231
the entire width of the back, at the top and bottom of the cars in 232
all trap, crib, and fyke nets for the purpose of keeping the 233
meshes hanging squarely while the nets are fishing. 234

(OO) "Fishing guide" means any person who, for consideration 235
or hire, operates a boat, rents, leases, or otherwise furnishes 236
angling devices, ice fishing shanties or shelters of any kind, or 237
other fishing equipment, and accompanies, guides, directs, or 238
assists any other person in order for the other person to engage 239
in fishing. 240

(PP) "Net" means fishing devices with meshes composed of 241
twine or synthetic material and includes, but is not limited to, 242
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 243
seines, except minnow seines and minnow dip nets. 244

(QQ) "Commercial fishing gear" means seines, trap nets, fyke 245
nets, dip nets, carp aprons, trotlines, other similar gear, and 246
any boat used in conjunction with that gear, but does not include 247
gill nets. 248

(RR) "Native wildlife" means any species of the animal 249
kingdom indigenous to this state. 250

(SS) "Gill net" means a single section of fabric or netting 251
seamed to a float line at the top and a lead line at the bottom, 252
which is designed to entangle fish in the net openings as they 253
swim into it. 254

(TT) "Tag fishing tournament" means a contest in which a 255
participant pays a fee, or gives other valuable consideration, for 256
a chance to win a prize by virtue of catching a tagged or 257
otherwise specifically marked fish within a limited period of 258

~~time, but does not include a scheme of chance conducted under~~ 259
~~division (D)(1) of section 2915.02 of the Revised Code.~~ 260

(UU) "Tenant" means an individual who resides on land for 261
which the individual pays rent and whose annual income is 262
primarily derived from agricultural production conducted on that 263
land, as "agricultural production" is defined in section 929.01 of 264
the Revised Code. 265

(VV) "Nonnative wildlife" means any wild animal not 266
indigenous to this state, but does not include domestic deer. 267

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

(*Thamnophis brachystoma*), eastern ribbon snake (*Thamnophis* 291
sauritus sauritus), northern ribbon snake (*Thamnophis sauritus* 292
septentrionalis), eastern hognose snake (*Heterodon platirhinos*), 293
eastern smooth earth snake (*Virginia valeriae valeriae*), northern 294
ringneck snake (*Diadophis punctatus edwardsii*), midwest worm snake 295
(*Carphophis amoenus helenae*), eastern worm snake (*Carphophis* 296
amoenus amoenus), black racer (*Coluber constrictor constrictor*), 297
blue racer (*Coluber constrictor foxii*), rough green snake 298
(*Opheodrys aestivus*), smooth green snake (*Opheodrys vernalis* 299
vernalis), black rat snake (*Elaphe obsoleta obsoleta*), eastern fox 300
snake (*Elaphe vulpina gloydi*), black kingsnake (*Lampropeltis* 301
getula nigra), eastern milk snake (*Lampropeltis triangulum* 302
triangulum), northern copperhead (*Agkistrodon contortrix mokasen*), 303
eastern massasauga (*Sistrurus catenatus catenatus*), and timber 304
rattlesnake (*Crotalus horridus horridus*). 305

(XX) "Amphibians" includes eastern hellbender (*Cryptobranchus* 306
alleganiensis alleganiensis), mudpuppy (*Necturus maculosus* 307
maculosus), red-spotted newt (*Notophthalmus viridescens* 308
viridescens), Jefferson salamander (*Ambystoma jeffersonianum*), 309
spotted salamander (*Ambystoma maculatum*), blue-spotted salamander 310
(*Ambystoma laterale*), smallmouth salamander (*Ambystoma texanum*), 311
streamside salamander (*Ambystoma barbouri*), marbled salamander 312
(*Ambystoma opacum*), eastern tiger salamander (*Ambystoma tigrinum* 313
tigrinum), northern dusky salamander (*Desmognathus fuscus fuscus*), 314
mountain dusky salamander (*Desmognathus ochrophaeus*), redback 315
salamander (*Plethodon cinereus*), ravine salamander (*Plethodon* 316
richmondi), northern slimy salamander (*Plethodon glutinosus*), 317
Wehrle's salamander (*Plethodon wehrlei*), four-toed salamander 318
(*Hemidactylium scutatum*), Kentucky spring salamander (*Gyrinophilus* 319
porphyriticus duryi), northern spring salamander (*Gyrinophilus* 320
porphyriticus porphyriticus), mud salamander (*Pseudotriton* 321
montanus), northern red salamander (*Pseudotriton ruber ruber*), 322

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

(YY) "Deer" means white-tailed deer (*Odocoileus* 337
virginianus). 338

(ZZ) "Domestic deer" means nonnative deer that have been 339
legally acquired or their offspring and that are held in private 340
ownership for primarily agricultural purposes. 341

(AAA) "Migratory game bird" includes waterfowl (*Anatidae*); 342
doves (*Columbidae*); cranes (*Gruidae*); rails, coots, and gallinules 343
(*Rallidae*); and woodcock and snipe (*Scolopacidae*). 344

Sec. 1711.09. Except as otherwise provided in this section, 345
county agricultural societies, independent agricultural societies, 346
and the Ohio expositions commission shall not permit during any 347
fair, or for one week before or three days ~~thereafter~~ after any 348
fair, any dealing in spirituous liquors, or at any time allow or 349
tolerate immoral shows, lottery devices, games of chance, or 350
gambling of any kind, including pool selling and paddle wheels, 351
anywhere on the fairground; and shall permit no person at any time 352
to operate any side show, amusement, game, or device, or offer for 353

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

Any sales of intoxicating liquor transacted on the fairground 368
shall be subject to Chapters 4301., 4303., and 4399. of the 369
Revised Code. 370

Any agricultural society that permits the sale of 371
intoxicating liquor on its fairground shall apply any proceeds 372
gained by ~~such the~~ society from the permit holder and from 373
activities coincident to the sale of intoxicating liquor first to 374
pay the cost of insurance on all buildings on ~~such the~~ fairground, 375
and then for any other purpose authorized by law. 376

Sec. 2915.01. As used in this chapter: 377

(A) "Bookmaking" means the business of receiving or paying 378
off bets. 379

(B) "Bet" means the hazarding of anything of value upon the 380
result of an event, undertaking, or contingency, but does not 381
include a bona fide business risk. 382

(C) "Scheme of chance" means a slot machine, lottery, numbers 383
game, pool, or other scheme in which a participant gives a 384

valuable consideration for a chance to win a prize, but does not 385
include bingo. 386

(D) "Game of chance" means poker, craps, roulette, ~~a slot~~ 387
~~machine, a punch board,~~ or other game in which a player gives 388
anything of value in the hope of gain, the outcome of which is 389
determined largely ~~or wholly~~ by chance, but does not include 390
bingo. 391

(E) "~~Scheme or game~~ Game of chance conducted for profit" 392
means any ~~scheme or~~ game of chance designed to produce income for 393
the person who conducts or operates the ~~scheme or~~ game of chance, 394
but does not include ~~a charitable bingo game.~~ 395

(F) "Gambling device" means any of the following: 396

(1) A book, totalizer, or other equipment for recording bets; 397
398

(2) A ticket, token, or other device representing a chance, 399
share, or interest in a scheme of chance, ~~except a charitable~~ 400
~~bingo game,~~ or evidencing a bet; 401

(3) A deck of cards, dice, gaming table, roulette wheel, slot 402
machine, ~~punch board,~~ or other apparatus designed for use in 403
connection with a game of chance; 404

(4) Any equipment, device, apparatus, or paraphernalia 405
specially designed for gambling purposes; 406

(5) Bingo supplies sold or otherwise provided, or used, in 407
violation of this chapter. 408

(G) "Gambling offense" means any of the following: 409

(1) A violation of section 2915.02, 2915.03, 2915.04, 410
2915.05, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 411
2915.092, 2915.10, or 2915.11 of the Revised Code; 412

(2) A violation of an existing or former municipal ordinance 413
or law of this or any other state or the United States 414

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

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

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

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

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

(I) "Religious organization" means any church, body of 453
communicants, or group that is not organized or operated for 454
profit and that gathers in common membership for regular worship 455
and religious observances. 456

(J) "Educational organization" means any organization within 457
this state that is not organized for profit, the primary exclusive 458
purpose of which is to educate and develop the capabilities of 459
individuals through instruction, and that operates or contributes 460
to the support of a school, academy, college, or university. 461

(K) "Veteran's organization" means any individual post of a 462
national veteran's association or an auxiliary unit of any 463
individual post of a national veteran's association, which post or 464
auxiliary unit has been incorporated as a nonprofit corporation 465
for at least two years and has received a letter from the state 466
headquarters of the national veteran's association indicating that 467
the individual post or auxiliary unit is in good standing with the 468
national veteran's association. As used in this division, 469
"national veteran's association" means any veteran's association 470
that has been in continuous existence as such for a period of at 471
least ~~ten~~ five years and either is incorporated by an act of the 472
United States congress or has a national dues-paying membership of 473
at least five thousand persons. 474

(L) "Volunteer ~~fire-fighter's~~ firefighter's organization" 475
means any organization of volunteer ~~fire-fighters~~ firefighters, as 476
defined in section 146.01 of the Revised Code, that is organized 477
and operated exclusively to provide financial support for a 478

volunteer fire department or a volunteer fire company and that is 479
recognized or ratified by a county, municipal corporation, or 480
township. 481

(M) "Fraternal organization" means any society, order, or 482
association within this state, except a college or high school 483
fraternity, that is not organized for profit, that is a branch, 484
lodge, or chapter of a national or state organization, that exists 485
exclusively for the common business or sodality of its members, 486
and that has been in continuous existence in this state for a 487
period of five years. 488

(N) "Volunteer rescue service organization" means any 489
organization of volunteers organized to function as an emergency 490
medical service organization, as defined in section 4765.01 of the 491
Revised Code. 492

(O) "Service organization" means any organization, not 493
organized for profit, that is organized and operated exclusively 494
to provide, or to contribute to the support of organizations or 495
institutions organized and operated exclusively to provide, 496
medical and therapeutic services for persons who are crippled, 497
born with birth defects, or have any other mental or physical 498
defect or those organized and operated exclusively to protect, or 499
to contribute to the support of organizations or institutions 500
organized and operated exclusively to protect, animals from 501
inhumane treatment. 502

(P) "Nonprofit medical organization" means any organization 503
that has been incorporated as a nonprofit corporation for at least 504
five years and that has continuously operated and will be operated 505
exclusively to provide, or to contribute to the support of 506
organizations or institutions organized and operated exclusively 507
to provide, hospital, medical, research, or therapeutic services 508
for the public. 509

(Q) "Senior citizen's organization" means any private 510

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

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

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

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

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

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

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

(d) The winner of the bingo game includes any participant who

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

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

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

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

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

~~(d) The winner of the bingo game is any participant who
properly announces that a predetermined and preannounced pattern
of spaces has been covered on a card, sheet, or device being used~~

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

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

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

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

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

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

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

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

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

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

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

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

(Y) "Security personnel" includes any person who either is a sheriff, deputy sheriff, marshal, deputy marshal, township constable, or member of an organized police department of a municipal corporation or has 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 635
otherwise transferred to, any of the following: 636

(1) Any organization that is described in subsection 637
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 638
and is either a governmental unit or an organization that is tax 639
exempt under subsection 501(a) and described in subsection 640
501(c)(3) of the Internal Revenue Code; ~~that the proceeds of the~~ 641
~~bingo game are used by, or given, donated, or otherwise~~ 642
~~transferred to a~~ 643

(2) A veteran's organization, ~~as defined in division (K) of~~ 644
~~this section,~~ that is a post, chapter, or organization of ~~war~~ 645
veterans, or an auxiliary unit or society of, or a trust or 646
foundation for, any such post, chapter, or organization organized 647
in the United States or any of its possessions, at least 648
seventy-five per cent of the members of which are ~~war~~ veterans and 649
substantially all of the other members of which are individuals 650
who are ~~veterans (but not war veterans) or are cadets, or are~~ 651
spouses, widows, or widowers of ~~war~~ veterans, or such individuals, 652
provided that no part of the net earnings of such post, chapter, 653
or organization inures to the benefit of any private shareholder 654
or individual, and further provided that the ~~bingo game proceeds~~ 655
are net profit is used by the post, chapter, or organization for 656
the charitable purposes set forth in division (B)(12) of section 657
5739.02 of the Revised Code, ~~are~~ is used for awarding scholarships 658
to or for attendance at an institution mentioned in division 659
(B)(12) of section 5739.02 of the Revised Code, ~~are~~ is donated to 660
a governmental agency, or ~~are~~ is used for nonprofit youth 661
activities, the purchase of United States or Ohio flags that are 662
donated to schools, youth groups, or other bona fide nonprofit 663
organizations, promotion of patriotism, or disaster relief; ~~that~~ 664
~~the proceeds of the bingo game are used by, or given, donated, or~~ 665
~~otherwise transferred to a~~ 666

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

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

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

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

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

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

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

younger by means of sponsoring, organizing, operating, or
contributing to the support of an athletic team, club, league, or
association.

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

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

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

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

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

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

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

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

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

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

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

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

(1) The purchase or lease of bingo supplies;

<u>(2) The annual license fee required under section 2915.08 of</u>	759
<u>the Revised Code;</u>	760
<u>(3) Bank fees and service charges for a bingo session or game</u>	761
<u>account described in section 2915.10 of the Revised Code;</u>	762
<u>(4) Audits and accounting services;</u>	763
<u>(5) Safes;</u>	764
<u>(6) Cash registers;</u>	765
<u>(7) Hiring security personnel;</u>	766
<u>(8) Advertising bingo;</u>	767
<u>(9) Renting premises in which to conduct bingo;</u>	768
<u>(10) Tables and chairs;</u>	769
<u>(11) Any other product or service directly related to the</u>	770
<u>conduct of bingo that is authorized in rules adopted by the</u>	771
<u>attorney general under division (B)(1) of section 2915.08 of the</u>	772
<u>Revised Code.</u>	773
<u>(MM) "Person" has the same meaning as in section 1.59 of the</u>	774
<u>Revised Code and includes any firm or any other legal entity,</u>	775
<u>however organized.</u>	776
<u>(NN) "Revoke" means to void permanently all rights and</u>	777
<u>privileges of the holder of a license issued under section</u>	778
<u>2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable</u>	779
<u>gaming license issued by another jurisdiction.</u>	780
<u>(OO) "Suspend" means to interrupt temporarily all rights and</u>	781
<u>privileges of the holder of a license issued under section</u>	782
<u>2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable</u>	783
<u>gaming license issued by another jurisdiction.</u>	784
<u>(PP) "Distributor" means any person who purchases or obtains</u>	785
<u>bingo supplies and who sells, offers for sale, or otherwise</u>	786
<u>provides or offers to provide the bingo supplies to another person</u>	787

for use in this state.

788

(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.

789

790

791

792

(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.

793

794

795

796

(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:

797

798

799

800

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

801

802

(2) It performs no gaming functions.

803

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

804

805

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

806

807

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

808

809

(6) It is incapable of determining whether a dispensed bingo ticket or card is a winning or nonwinning ticket or card and requires a winning ticket or card to be paid by a bingo game operator.

810

811

812

813

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

814

815

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

816

interactive.

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

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

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

(c) It identifies a winning bingo pattern.

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

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

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

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

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

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

Sec. 2915.02. (A) No person shall do any of the following: 847

(1) Engage in bookmaking, or knowingly engage in conduct that 848
facilitates bookmaking; 849

(2) Establish, promote, or operate or knowingly engage in 850
conduct that facilitates any ~~scheme or~~ game of chance conducted 851
for profit or any scheme of chance; 852

(3) Knowingly procure, transmit, exchange, or engage in 853
conduct that facilitates the procurement, transmission, or 854
exchange of information for use in establishing odds or 855
determining winners in connection with bookmaking or with any 856
~~scheme or~~ game of chance conducted for profit or any scheme of 857
chance; 858

(4) Engage in betting or in playing any scheme or game of 859
chance, ~~except a charitable bingo game~~, as a substantial source of 860
income or livelihood; 861

(5) With purpose to violate division (A)(1), (2), (3), or (4) 862
of this section, acquire, possess, control, or operate any 863
gambling device. 864

(B) For purposes of division (A)(1) of this section, a person 865
facilitates bookmaking if the person in any way knowingly aids an 866
illegal bookmaking operation, including, without limitation, 867
placing a bet with a person engaged in or facilitating illegal 868
bookmaking. For purposes of division (A)(2) of this section, a 869
person facilitates a ~~scheme or~~ game of chance conducted for profit 870
or a scheme of chance if the person in any way knowingly aids in 871
the conduct or operation of any such ~~scheme or~~ or scheme, 872
including, without limitation, playing any such ~~scheme or~~ or 873
scheme. 874

(C) This section does not prohibit conduct in connection with 875
gambling expressly permitted by law. 876

(D) This section does not apply to any of the following: 877

(1) ~~Schemes of chance conducted by a charitable organization 878~~
~~that is, and has received from the internal revenue service a 879~~
~~determination letter that is currently in effect stating that the 880~~
~~organization is, exempt from federal income taxation under 881~~
~~subsection 501(a) and described in subsection 501(c)(3) of the 882~~
~~Internal Revenue Code, provided that all of the money or assets 883~~
~~received from the scheme of chance after deduction only of prizes 884~~
~~paid out during the conduct of the scheme of chance are used by, 885~~
~~or given, donated, or otherwise transferred to, any organization 886~~
~~that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) 887~~
~~of the Internal Revenue Code and is either a governmental unit or 888~~
~~an organization that is tax exempt under subsection 501(a) and 889~~
~~described in subsection 501(c)(3) of the Internal Revenue Code, 890~~
~~and provided that the scheme of chance is not conducted during, or 891~~
~~within ten hours of, a bingo game conducted for amusement purposes 892~~
~~only pursuant to section 2915.12 of the Revised Code; 893~~

(2) Games of chance, if all of the following apply: 894

(a) The games of chance are not craps for money, or roulette 895
for money, ~~or slot machines; 896~~

(b) The games of chance are conducted by a charitable 897
organization that is, and has received from the internal revenue 898
service a determination letter that is currently in effect, 899
stating that the organization is, exempt from federal income 900
taxation under subsection 501(a) and described in subsection 901
501(c)(3) of the Internal Revenue Code; 902

(c) The games of chance are conducted at festivals of the 903
charitable organization that are conducted either for a period of 904
four consecutive days or less and not more than twice a year or 905
for a period of five consecutive days not more than once a year, 906
and are conducted on premises owned by the charitable organization 907

for a period of no less than one year immediately preceding the 908
conducting of the games of chance, on premises leased from a 909
governmental unit, or on premises that are leased from a veteran's 910
or fraternal organization and that have been owned by the lessor 911
veteran's or fraternal organization for a period of no less than 912
one year immediately preceding the conducting of the games of 913
chance. 914

A charitable organization shall not lease premises from a 915
veteran's or fraternal organization to conduct a festival 916
described in division (D)~~(2)~~(1)(c) of this section if the 917
veteran's or fraternal organization already has leased the 918
premises four times during the preceding year to charitable 919
organizations for that purpose. If a charitable organization 920
leases premises from a veteran's or fraternal organization to 921
conduct a festival described in division (D)~~(2)~~(1)(c) of this 922
section, the charitable organization shall not pay a rental rate 923
for the premises per day of the festival that exceeds the rental 924
rate per bingo session that a charitable organization may pay 925
under division ~~(A)~~~~(3)~~(B)(1) of section 2915.09 of the Revised Code 926
when it leases premises from another charitable organization to 927
conduct bingo games. 928

(d) All of the money or assets received from the games of 929
chance after deduction only of prizes paid out during the conduct 930
of the games of chance are used by, or given, donated, or 931
otherwise transferred to, any organization that is described in 932
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 933
Revenue Code and is either a governmental unit or an organization 934
that is tax exempt under subsection 501(a) and described in 935
subsection 501(c)(3) of the Internal Revenue Code; 936

(e) The games of chance are not conducted during, or within 937
ten hours of, a bingo game conducted for amusement purposes only 938
pursuant to section 2915.12 of the Revised Code. 939

No person shall receive any commission, wage, salary, reward, 940
tip, donation, gratuity, or other form of compensation, directly 941
or indirectly, for operating or assisting in the operation of any 942
~~scheme or game of chance.~~ 943

~~(3)~~(2) Any tag fishing tournament operated under a permit 944
issued under section 1533.92 of the Revised Code, as "tag fishing 945
tournament" is defined in section 1531.01 of the Revised Code; 946

(3) Bingo conducted by a charitable organization that holds a 947
license issued under section 2915.08 of the Revised Code. 948

(E) Division (D) of this section shall not be construed to 949
authorize the sale, lease, or other temporary or permanent 950
transfer of the right to conduct ~~schemes of chance or games of~~ 951
chance, as granted by that division ~~(D) of this section~~, by any 952
charitable organization that is granted that right. 953

(F) Whoever violates this section is guilty of gambling, a 954
misdemeanor of the first degree. If the offender previously has 955
been convicted of any gambling offense, gambling is a felony of 956
the fifth degree. 957

Sec. 2915.04. (A) No person, while at a hotel, restaurant, 958
tavern, store, arena, hall, or other place of public 959
accommodation, business, amusement, or resort shall make a bet or 960
play any game of chance or scheme of chance. 961

(B) No person, being the owner or lessee, or having custody, 962
control, or supervision, of a hotel, restaurant, tavern, store, 963
arena, hall, or other place of public accommodation, business, 964
amusement, or resort shall recklessly permit ~~such~~ those premises 965
to be used or occupied in violation of division (A) of this 966
section. 967

(C) ~~This~~ (1) Except as otherwise provided in section 2915.13 968
of the Revised Code, no person, while at a tavern or other 969

establishment at which beer or intoxicating liquor is sold for 970
consumption on the premises, shall play bingo, any game of chance, 971
or any scheme of chance, whether or not a charitable organization 972
conducts the bingo, game, or scheme. 973

(2) Except as otherwise provided in section 2915.13 of the 974
Revised Code, no person who is the owner or lessee, or who has 975
custody, control, or supervision, of a tavern or other 976
establishment at which beer or intoxicating liquor is sold for 977
consumption on the premises shall recklessly permit the premises 978
to be used or occupied for a purpose described in division (C)(1) 979
of this section. 980

(D)(1) Divisions (A) and (B) of this section does do not 981
prohibit conduct in connection with gambling expressly permitted 982
by law. 983

(2) Division (C) of this section does not prohibit conduct 984
permitted under division (D) of section 2915.02 of the Revised 985
Code and does not apply to bingo, any game of chance, or any 986
scheme of chance conducted by a veteran's organization or a 987
fraternal organization pursuant to section 2915.13 of the Revised 988
Code. 989

~~(D)~~(E) Whoever violates this section is guilty of public 990
gaming~~7~~. Except as otherwise provided in this division, public 991
gaming is a minor misdemeanor. If the offender ~~has~~ previously has 992
been convicted of any gambling offense, public gaming is a 993
misdemeanor of the fourth degree. 994

~~(E)~~(F) Premises used or occupied in violation of division (B) 995
or (C) of this section constitute a nuisance subject to abatement 996
~~pursuant to sections 3767.01 to 3767.99 under Chapter 3767.~~ of the 997
Revised Code. 998

Sec. 2915.05. (A) No person, with purpose to defraud or 999
knowing that the person is facilitating a fraud, shall engage in 1000

conduct designed to corrupt the outcome of any of the following: 1001

(1) The subject of a bet; 1002

(2) A contest of knowledge, skill, or endurance that is not 1003
an athletic or sporting event; 1004

(3) A scheme or game of chance; 1005

(4) Bingo. 1006

(B) No person shall knowingly do any of the following: 1007

(1) Offer, give, solicit, or accept anything of value to 1008
corrupt the outcome of an athletic or sporting event; 1009

(2) Engage in conduct designed to corrupt the outcome of an 1010
athletic or sporting event. 1011

(C)(1) Whoever violates division (A) of this section is 1012
guilty of cheating~~7~~. Except as otherwise provided in this 1013
division, cheating is a misdemeanor of the first degree. If the 1014
potential gain from the cheating is five hundred dollars or more 1015
or if the offender previously has been convicted of any gambling 1016
offense or of any theft offense, as defined in section 2913.01 of 1017
the Revised Code, cheating is a felony of the fifth degree. 1018

(2) Whoever violates division (B) of this section is guilty 1019
of corrupting sports. Corrupting sports is a felony of the fifth 1020
degree on a first offense and a felony of the fourth degree on 1021
each subsequent offense. 1022

Sec. 2915.07. (A) No person, except a charitable organization 1023
that has obtained a ~~bingo~~ license pursuant to section 2915.08 of 1024
the Revised Code, shall conduct or advertise a bingo ~~game~~. This 1025
division does not apply to a raffle that a charitable organization 1026
conducts or advertises. 1027

(B) Whoever violates this section is guilty of conducting ~~an~~ 1028

illegal bingo ~~game~~, a felony of the fourth degree. 1029

Sec. 2915.08. (A)~~(1)~~ Annually before the first day of 1030
January, a charitable organization that desires to conduct bingo 1031
~~games, instant bingo at a bingo session, or instant bingo other~~ 1032
~~than at a bingo session~~ shall make out ~~and deliver to the attorney~~ 1033
~~general~~, upon a form to be furnished by the attorney general for 1034
that purpose, an application for a license to conduct bingo, 1035
~~instant bingo at a bingo session, or instant bingo other than at a~~ 1036
~~bingo session~~ and ~~deliver that application to the attorney general~~ 1037
~~together with~~ a license fee ~~of one hundred~~ as follows: 1038

(a) Except as otherwise provided in this division, for a 1039
license for the conduct of bingo, two hundred dollars ~~or a;~~ 1040

(b) Except as otherwise provided in this division, for a 1041
license for the conduct of instant bingo at a bingo session or 1042
instant bingo other than at a bingo session, a license fee that is 1043
based upon the total of all money or assets received by any person 1044
or the charitable organization from the operation of instant bingo 1045
at a bingo session or instant bingo other than at a bingo session, 1046
during the one-year period ending on the thirty-first day of 1047
October of the year immediately preceding the year for which the 1048
license is sought, and that is one of the following: 1049

(i) Five hundred dollars, if the total is less than two 1050
hundred fifty thousand dollars; 1051

(ii) One thousand dollars, if the total is at least two 1052
hundred fifty thousand dollars but less than five hundred thousand 1053
dollars; 1054

(iii) One thousand five hundred dollars, if the total is at 1055
least five hundred thousand dollars but less than seven hundred 1056
fifty thousand dollars; 1057

(iv) Two thousand dollars, if the total is at least seven 1058

hundred fifty thousand dollars but less than one million dollars; 1059

(v) Three thousand five hundred dollars, if the total is at 1060
least one million dollars but less than one million five hundred 1061
thousand dollars; 1062

(vi) Five thousand dollars, if the total is one million five 1063
hundred thousand dollars or more; 1064

(c) A reduced license fee established by the attorney general 1065
pursuant to division (G) of this section. The 1066

(d) For a license to conduct bingo, instant bingo at a bingo 1067
session, or instant bingo other than at a bingo session for a 1068
charitable organization that prior to the effective date of this 1069
amendment has not been licensed under this chapter to conduct 1070
bingo, instant bingo at a bingo session, or instant bingo other 1071
than at a bingo session, a license fee established by rule by the 1072
attorney general in accordance with division (H) of this section. 1073

(2) The application shall be in the form prescribed by the 1074
attorney general and, shall be signed and sworn to by the 1075
applicant. 1076

The application, and shall contain all of the following: 1077

(1)(a) The name and post-office address of the applicant; 1078

(2)(b) A statement that the applicant is a charitable 1079
organization and that it has been in continuous existence as a 1080
charitable organization in this state for two years immediately 1081
preceding the making of the application or for five years in the 1082
case of a fraternal organization or a nonprofit medical 1083
organization; 1084

(3)(c) The location at which the organization will conduct 1085
the bingo game, which location shall be within the county in which 1086
the principal place of business of the applicant is located, the 1087
days of the week and the times on each of those days when a bingo 1088

~~session~~ will be conducted, whether the organization owns, leases, 1089
or subleases the premises, and a copy of the rental agreement if 1090
it leases or subleases the premises; 1091

~~(4)~~(d) A statement of the applicant's previous history, 1092
record, and association that is sufficient to establish that the 1093
applicant is a charitable organization, and a copy of a 1094
determination letter that is issued by the Internal Revenue 1095
Service and states that the organization is tax exempt under 1096
subsection 501(a) and described in subsection 501(c)(3), 1097
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 1098
Revenue Code; 1099

~~(5)~~(e) A statement as to whether the applicant has ever had 1100
any previous application refused, whether it previously has had a 1101
license revoked or suspended, and the reason stated by the 1102
attorney general for the refusal, revocation, or suspension; 1103

~~(6)~~(f) A statement of the charitable ~~purpose~~ purposes for 1104
which the ~~bingo proceeds~~ net profit derived from bingo, other than 1105
instant bingo, will be used, and a statement of how the net profit 1106
derived from instant bingo will be distributed in accordance with 1107
section 2915.101 of the Revised Code; 1108

~~(7)~~(g) Other necessary and reasonable information that the 1109
attorney general may require by rule adopted pursuant to section 1110
111.15 of the Revised Code; 1111

~~(8)~~(h) If the applicant is a charitable trust as defined in 1112
section 109.23 of the Revised Code, a statement as to whether it 1113
has registered with the attorney general pursuant to section 1114
109.26 of the Revised Code or filed annual reports pursuant to 1115
section 109.31 of the Revised Code, and, if it is not required to 1116
do either, the exemption in section 109.26 or 109.31 of the 1117
Revised Code that applies to it; 1118

~~(9)~~(i) If the applicant is a charitable organization as 1119

defined in section 1716.01 of the Revised Code, a statement as to 1120
whether it has filed with the attorney general a registration 1121
statement pursuant to section 1716.02 of the Revised Code and a 1122
financial report pursuant to section 1716.04 of the Revised Code, 1123
and, if it is not required to do both, the exemption in section 1124
1716.03 of the Revised Code that applies to it; 1125

~~(10)~~(j) In the case of an applicant seeking to qualify as a 1126
youth athletic park organization ~~under division (CC) of section~~ 1127
~~2915.01 of the Revised Code~~, a statement issued by a board or body 1128
vested with authority under Chapter 755. of the Revised Code for 1129
the supervision and maintenance of recreation facilities in the 1130
territory in which the organization is located, certifying that 1131
the playing fields owned by the organization were used for at 1132
least one hundred days during the year in which the statement is 1133
issued, and were open for use to all residents of that territory, 1134
regardless of race, color, creed, religion, sex, or national 1135
origin, for athletic activities by youth athletic organizations, 1136
~~as defined in division (BB) of section 2915.01 of the Revised~~ 1137
~~Code~~, that do not discriminate on the basis of race, color, creed, 1138
religion, sex, or national origin, and that the fields were not 1139
used for any profit-making activity at any time during the year. 1140
That type of board or body is authorized to issue the statement 1141
upon request and shall issue the statement if it finds that the 1142
applicant's playing fields were so used. 1143

(3) The attorney general, within thirty days after receiving 1144
a timely filed application from a charitable organization that has 1145
been issued a ~~bingo~~ license under this section that has not 1146
expired and has not been revoked or suspended, shall send a 1147
temporary permit to the applicant specifying the date on which the 1148
application was filed with the attorney general and stating that, 1149
pursuant to section 119.06 of the Revised Code, the applicant may 1150
continue to conduct bingo ~~games~~ until a new license is granted or, 1151

if the application is rejected, until fifteen days after notice of 1152
the rejection is mailed to the applicant. The temporary permit 1153
does not affect the validity of the applicant's application and 1154
does not grant any rights to the applicant except those rights 1155
specifically granted in section 119.06 of the Revised Code. The 1156
issuance of a temporary permit by the attorney general pursuant to 1157
this ~~paragraph~~ division does not prohibit the attorney general 1158
from rejecting the applicant's application because of acts that 1159
the applicant committed, or actions that the applicant failed to 1160
take, before or after the issuance of the temporary permit. 1161

(4) Within thirty days after receiving an initial license 1162
application from a charitable organization to conduct bingo, 1163
instant bingo at a bingo session, or instant bingo other than at a 1164
bingo session, the attorney general shall conduct a preliminary 1165
review of the application and notify the applicant regarding any 1166
deficiencies. Once an application is deemed complete, or beginning 1167
on the thirtieth day after the application is filed, if the 1168
attorney general failed to notify the applicant of any 1169
deficiencies, the attorney general shall have an additional sixty 1170
days to conduct an investigation and either grant or deny the 1171
application based on findings established and communicated in 1172
accordance with divisions (B) and (E) of this section. As an 1173
option to granting or denying an initial license application, the 1174
attorney general may grant a temporary license and request 1175
additional time to conduct the investigation if the attorney 1176
general has cause to believe that additional time is necessary to 1177
complete the investigation and has notified the applicant in 1178
writing about the specific concerns raised during the 1179
investigation. 1180

(B)(1) The attorney general shall adopt rules to enforce 1181
sections 2915.01, 2915.02, and 2915.07 to ~~2915.12~~ 2915.13 of the 1182
Revised Code to ensure that bingo ~~games are~~ or instant bingo is 1183

conducted in accordance with those sections, and to maintain 1184
proper control over the conduct of bingo ~~games or instant bingo~~. 1185
The rules, except rules adopted pursuant to ~~division~~ divisions 1186
(A)~~(7)~~(2)(g) and (G) of this section, shall be adopted pursuant to 1187
Chapter 119. of the Revised Code. The attorney general shall 1188
license charitable organizations to conduct bingo ~~games, instant~~ 1189
bingo at a bingo session, or instant bingo other than at a bingo 1190
session in conformance with this chapter and with the licensing 1191
provisions of Chapter 119. of the Revised Code. 1192

(2) The attorney general may refuse to grant a ~~bingo~~ license 1193
to any organization, or revoke or suspend the license of any 1194
organization, that does any of the following or to which any of 1195
the following applies: 1196

(a) Fails or has failed at any time to meet any requirement 1197
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 1198
2915.11 of the Revised Code, or violates or has violated any 1199
provision of sections 2915.02 or 2915.07 to ~~2915.12~~ 2915.13 of the 1200
Revised Code or any rule adopted by the attorney general pursuant 1201
to this section; 1202

(b) Makes or has made an incorrect or false statement that is 1203
material to the granting of the license in an application filed 1204
pursuant to division (A) of this section; 1205

(c) Submits or has submitted any incorrect or false 1206
information relating to an application if the information is 1207
material to the granting of the license; 1208

(d) Maintains or has maintained any incorrect or false 1209
information that is material to the granting of the license in the 1210
records required to be kept pursuant to ~~division~~ divisions (A) and 1211
(C) of section 2915.10 of the Revised Code, if applicable; 1212

(e) The attorney general has good cause to believe that the 1213
organization will not conduct ~~its~~ bingo ~~games, instant bingo at a~~ 1214

bingo session, or instant bingo other than at a bingo session in 1215
accordance with sections ~~2915.02 and~~ 2915.07 to ~~2915.12~~ 2915.13 of 1216
the Revised Code or with any rule adopted by the attorney general 1217
pursuant to this section. 1218

(3) For the purposes of ~~this~~ division (B) of this section, 1219
any action of an officer, trustee, agent, representative, or bingo 1220
game operator of an organization is an action of the organization. 1221

(C) The attorney general may grant ~~bingo~~ licenses to 1222
charitable organizations that are branches, lodges, or chapters of 1223
national charitable organizations. 1224

(D) The attorney general shall send notice in writing to the 1225
prosecuting attorney and sheriff of the county in which the 1226
organization will conduct ~~the bingo game,~~ instant bingo at a bingo 1227
session, or instant bingo other than at a bingo session, as stated 1228
in its application for a license or amended license, and to any 1229
other law enforcement agency in that county that so requests, of 1230
all of the following: 1231

(1) The issuance of the license; 1232

(2) The issuance of the amended license; 1233

(3) The rejection of an application for and refusal to grant 1234
a license; 1235

(4) The revocation of any license previously issued; 1236

(5) The suspension of any license previously issued. 1237

(E) A ~~bingo~~ license issued by the attorney general shall set 1238
forth the information contained on the application of the 1239
charitable organization that the attorney general determines is 1240
relevant, including, but not limited to, the location at which the 1241
organization will conduct ~~the bingo game,~~ instant bingo at a bingo 1242
session, or instant bingo other than at a bingo session and the 1243
days of the week and the times on each of those days when a bingo 1244

~~session~~ will be conducted. If the attorney general refuses to 1245
grant or revokes or suspends a ~~bingo~~ license, the attorney general 1246
shall notify the applicant in writing and specifically identify 1247
the reason for the refusal, revocation, or suspension in narrative 1248
form and, if applicable, by identifying the section of the Revised 1249
Code violated. The failure of the attorney general to give the 1250
written notice of the reasons for the refusal, revocation, or 1251
suspension or a mistake in the written notice does not affect the 1252
validity of the attorney general's refusal to grant, or the 1253
revocation or suspension of, a ~~bingo~~ license. If the attorney 1254
general fails to give the written notice or if there is a mistake 1255
in the written notice, the applicant may bring an action to compel 1256
the attorney general to comply with this division or to correct 1257
the mistake, but the attorney general's order refusing to grant, 1258
or revoking or suspending, a ~~bingo~~ license shall not be enjoined 1259
during the pendency of the action. 1260

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

with division (E) of this section, and the organization shall 1278
surrender its original license to the attorney general. The 1279
attorney general ~~shall~~ may refuse to grant ~~an application for an~~ 1280
amended ~~bingo~~ license according to the terms of division (B) of 1281
this section. 1282

(G) The attorney general, by rule adopted pursuant to section 1283
111.15 of the Revised Code, shall establish a schedule of reduced 1284
license fees for charitable organizations that desire to conduct 1285
bingo ~~games~~ or instant bingo during fewer than twenty-six weeks in 1286
any calendar year. 1287

(H) The attorney general, by rule adopted pursuant to section 1288
111.15 of the Revised Code, shall establish license fees for the 1289
conduct of bingo, instant bingo at a bingo session, or instant 1290
bingo other than at a bingo session for charitable organizations 1291
that prior to the effective date of this amendment have not been 1292
licensed to conduct bingo, instant bingo at a bingo session, or 1293
instant bingo other than at a bingo session under this chapter. 1294

(I) The attorney general may enter into a written contract 1295
with any other state agency to delegate to that state agency the 1296
powers prescribed to the attorney general under Chapter 2915. of 1297
the Revised Code. 1298

(J) The attorney general, by rule adopted pursuant to section 1299
111.15 of the Revised Code, may adopt rules to determine the 1300
requirements for a charitable organization that is exempt from 1301
federal income taxation under subsection 501(a) and described in 1302
subsection 501(c)(3) of the Internal Revenue Code to be in good 1303
standing in the state. 1304

Sec. 2915.081. (A) No distributor shall sell, offer to sell, 1305
or otherwise provide or offer to provide bingo supplies to another 1306
person for use in this state without having obtained a license 1307
from the attorney general under this section. 1308

(B) The attorney general may issue a distributor license to 1309
any person that meets the requirements of this section. The 1310
application for the license shall be on a form prescribed by the 1311
attorney general and be accompanied by the annual fee prescribed 1312
by this section. The license is valid for a period of one year, 1313
and the annual fee for the license is two thousand five hundred 1314
dollars. 1315

(C) The attorney general may refuse to issue a distributor 1316
license to any person to which any of the following applies, or to 1317
any person that has an officer, partner, or other person who has 1318
an ownership interest of ten per cent or more and to whom any of 1319
the following applies: 1320

(1) The person, officer, or partner has been convicted of a 1321
felony under the laws of this state, another state, or the United 1322
States. 1323

(2) The person, officer, or partner has been convicted of any 1324
gambling offense. 1325

(3) The person, officer, or partner has made an incorrect or 1326
false statement that is material to the granting of a license in 1327
an application submitted to the attorney general under this 1328
section or in a similar application submitted to a gambling 1329
licensing authority in another jurisdiction if the statement 1330
resulted in license revocation through administrative action in 1331
the other jurisdiction. 1332

(4) The person, officer, or partner has submitted any 1333
incorrect or false information relating to the application to the 1334
attorney general under this section, if the information is 1335
material to the granting of the license. 1336

(5) The person, officer, or partner has failed to correct any 1337
incorrect or false information that is material to the granting of 1338
the license in the records required to be maintained under 1339

division (E) of section 2915.10 of the Revised Code. 1340

(6) The person, officer, or partner has had a license related 1341
to gambling revoked or suspended under the laws of this state, 1342
another state, or the United States. 1343

(D) The attorney general shall not issue a distributor 1344
license to any person that is involved in the conduct of bingo on 1345
behalf of a charitable organization or that is a lessor of 1346
premises used for the conduct of bingo. This division does not 1347
prohibit a distributor from advising charitable organizations on 1348
the use and benefit of specific bingo supplies or prohibit a 1349
distributor from advising a customer on operational methods to 1350
improve bingo profitability. 1351

(E)(1) No distributor shall sell, offer to sell, or otherwise 1352
provide or offer to provide bingo supplies to any person for use 1353
in this state except to a charitable organization that has been 1354
issued a license under section 2915.08 of the Revised Code or to 1355
another distributor that has been issued a license under this 1356
section. No distributor shall accept payment for the sale or other 1357
provision of bingo supplies other than by check. 1358

(2) No distributor shall provide a charitable organization 1359
with free samples of instant bingo tickets or cards, punch boards, 1360
or seal cards. No distributor may donate, give, loan, lease, or 1361
otherwise provide any bingo supplies or equipment to a charitable 1362
organization for use in a bingo session conditioned on or in 1363
consideration for an exclusive right to provide bingo supplies to 1364
the charitable organization. 1365

(3) No distributor shall purchase bingo supplies for use in 1366
this state from any person except from a manufacturer issued a 1367
license under section 2915.082 of the Revised Code or from another 1368
distributor issued a license under this section. Subject to 1369
division (D) of section 2915.082 of the Revised Code, no 1370

distributor shall pay for purchased bingo supplies other than by 1371
check. 1372

(4) No distributor shall participate in the conduct of bingo 1373
on behalf of a charitable organization or have any direct or 1374
indirect ownership interest in a premises used for the conduct of 1375
bingo. 1376

(5) No distributor shall knowingly solicit, offer, pay, or 1377
receive any kickback, bribe, or undocumented rebate, directly or 1378
indirectly, overtly or covertly, in cash or in kind, in return for 1379
providing bingo supplies to any person in this state. 1380

(F) The attorney general may suspend or revoke a distributor 1381
license for any of the reasons for which the attorney general may 1382
refuse to issue a distributor license specified in division (C) of 1383
this section or if the distributor holding the license violates 1384
any provision of this chapter or any rule adopted by the attorney 1385
general under this chapter. 1386

(G) Whoever violates division (A) or (E) of this section is 1387
guilty of illegally operating as a distributor. Except as 1388
otherwise provided in this division, illegally operating as a 1389
distributor is a misdemeanor of the first degree. If the offender 1390
previously has been convicted of a violation of division (A) or 1391
(E) of this section, illegally operating as a distributor is a 1392
felony of the fifth degree. 1393

Sec. 2915.082. (A) No manufacturer shall sell, offer to sell, 1394
or otherwise provide or offer to provide bingo supplies for use in 1395
this state without having obtained a license from the attorney 1396
general under this section. 1397

(B) The attorney general may issue a manufacturer license to 1398
any person that meets the requirements of this section. The 1399
application for the license shall be on a form prescribed by the 1400

attorney general and be accompanied by the annual fee prescribed 1401
by this section. The license is valid for a period of one year, 1402
and the annual fee for the license is two thousand five hundred 1403
dollars. 1404

(C) The attorney general may refuse to issue a manufacturer 1405
license to any person to which any of the following applies, or to 1406
any person that has an officer, partner, or other person who has 1407
an ownership interest of ten per cent or more and to whom any of 1408
the following applies: 1409

(1) The person, officer, or partner has been convicted of a 1410
felony under the laws of this state, another state, or the United 1411
States. 1412

(2) The person, officer, or partner has been convicted of any 1413
gambling offense. 1414

(3) The person, officer, or partner has made an incorrect or 1415
false statement that is material to the granting of a license in 1416
an application submitted to the attorney general under this 1417
section or in a similar application submitted to a gambling 1418
licensing authority in another jurisdiction if the statement 1419
resulted in license revocation through administrative action in 1420
the other jurisdiction. 1421

(4) The person, officer, or partner has submitted any 1422
incorrect or false information relating to the application to the 1423
attorney general under this section, if the information is 1424
material to the granting of the license. 1425

(5) The person, officer, or partner has failed to correct any 1426
incorrect or false information that is material to the granting of 1427
the license in the records required to be maintained under 1428
division (F) of section 2915.10 of the Revised Code. 1429

(6) The person, officer, or partner has had a license related 1430
to gambling revoked or suspended under the laws of this state, 1431

another state, or the United States.

1432

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

1433

1434

1435

1436

1437

1438

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

1439

1440

1441

1442

(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.

1443

1444

1445

1446

1447

1448

(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.

1449

1450

1451

1452

1453

1454

1455

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

1456

1457

(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;

1458

1459

1460

1461

(2) Use all of the gross receipts from ~~the bingo game~~ for 1462
paying prizes, for ~~the charitable purposes listed in its bingo~~ 1463
~~license application~~ renting premises in which to conduct bingo, 1464
for purchasing or leasing bingo ~~cards and other equipment~~ supplies 1465
used in conducting ~~the bingo game,~~ for hiring security personnel 1466
~~for the bingo game, or~~ for advertising the bingo game, or for 1467
other expenses listed in division (LL) of section 2915.01 of the 1468
Revised Code, provided that the amount of the receipts so spent is 1469
not more than is customary and reasonable for a similar purchase, 1470
lease, hiring, ~~or advertising, and for renting premises in which~~ 1471
~~to conduct the bingo game, except that if~~ or expense. If the 1472
building in which ~~the game bingo~~ bingo is conducted is owned by the 1473
charitable organization conducting ~~the game bingo~~ and the bingo 1474
conducted includes a form of bingo described in division (S)(1) of 1475
section 2915.01 of the Revised Code, the charitable organization 1476
may deduct from the total amount of the gross receipts from each 1477
session a sum equal to the lesser of six hundred dollars or 1478
forty-five per cent of the gross receipts from the ~~session bingo~~ 1479
described in that division as consideration for the use of the 1480
premises~~+~~. 1481

(3) ~~Conduct~~ Use, or give, donate, or otherwise transfer, all 1482
of the net profit derived from bingo, other than instant bingo, 1483
for a charitable purpose listed in its license application and 1484
described in division (Z) of section 2915.01 of the Revised Code, 1485
or distribute all of the net profit derived from instant bingo as 1486
stated in its license application and in accordance with section 1487
2915.101 of the Revised Code. 1488

(B) No charitable organization that conducts a bingo game 1489
described in division (S)(1) of section 2915.01 of the Revised 1490
Code shall fail to do any of the following: 1491

(1) Conduct the bingo game on premises that are owned by the 1492
charitable organization, on premises that are owned by another 1493

charitable organization and leased from that charitable 1494
organization for a rental rate not in excess of ~~four~~ the lesser of 1495
six hundred fifty dollars per bingo session or forty-five per cent 1496
of the gross receipts of the bingo session, on premises that are 1497
leased from a person other than a charitable organization for a 1498
rental rate that is not more than is customary and reasonable for 1499
premises that are similar in location, size, and quality but not 1500
in excess of four hundred fifty dollars per bingo session, or on 1501
premises that are owned by a person other than a charitable 1502
organization, that are leased from that person by another 1503
charitable organization, and that are subleased from that other 1504
charitable organization by the charitable organization for a 1505
rental rate not in excess of four hundred fifty dollars per bingo 1506
session. If the charitable organization leases from a person other 1507
than a charitable organization the premises on which it conducts 1508
bingo ~~games~~ sessions, the lessor of the premises shall provide 1509
only the premises to the organization and shall not provide the 1510
organization with bingo game operators, security personnel, 1511
concessions or concession operators, bingo ~~equipment~~ supplies, or 1512
any other type of service or equipment. A charitable organization 1513
shall not lease or sublease premises that it owns or leases to 1514
more than one other charitable organization per calendar week for 1515
the purpose of conducting bingo ~~games~~ sessions on the premises. A 1516
person that is not a charitable organization shall not lease 1517
premises that it owns, leases, or otherwise is empowered to lease 1518
to more than one charitable organization per calendar week for 1519
conducting bingo ~~games~~ sessions on the premises. In no case shall 1520
more than two bingo sessions be conducted on any premises in any 1521
calendar week. 1522

~~(4)~~(2) Display its ~~bingo~~ license conspicuously at the 1523
~~location~~ premises where the bingo ~~game~~ session is conducted; 1524

~~(5)~~(3) Conduct the bingo ~~game~~ session in accordance with the 1525

definition of bingo set forth in division (S)(1) of section 1526
2915.01 of the Revised Code. 1527

~~(B)~~ ~~A~~ (C) No charitable organization that conducts a bingo 1528
game described in division (S)(1) of section 2915.01 of the 1529
Revised Code shall ~~not~~ do any of the following: 1530

(1) Pay any compensation to a bingo game operator for 1531
operating a bingo ~~game~~ session that is conducted by the charitable 1532
organization or for preparing, selling, or serving food or 1533
beverages at the site of the bingo ~~game~~ session, permit any 1534
auxiliary unit or society of the charitable organization to pay 1535
compensation to any bingo game operator who prepares, sells, or 1536
serves food or beverages at a bingo session conducted by the 1537
charitable organization, or permit any auxiliary unit or society 1538
of the charitable organization to prepare, sell, or serve food or 1539
beverages at a bingo session conducted by the charitable 1540
organization, if the auxiliary unit or society pays any 1541
compensation to the bingo game operators who prepare, sell, or 1542
serve the food or beverages; 1543

(2) Pay consulting fees to any person for any services 1544
performed in relation to the bingo ~~game~~ session; 1545

(3) Pay concession fees to any person who provides 1546
refreshments to the participants in the bingo ~~game~~ session; 1547

(4) ~~Conduct~~ Except as otherwise provided in division (C)(4) 1548
of this section, conduct more than two bingo sessions in any 1549
seven-day period. ~~Except that a~~ A volunteer fire fighter's 1550
firefighter's organization or a volunteer rescue service 1551
organization that conducts not more than five bingo sessions in a 1552
calendar year may conduct more than two bingo sessions in a 1553
seven-day period after notifying the attorney general when it will 1554
conduct the sessions~~+~~. 1555

(5) Pay out more than three thousand five hundred dollars in 1556

prizes during any bingo session that is conducted by the 1557
charitable organization; 1558

(6) Conduct a bingo session at any time during the ten-hour 1559
period between midnight and ten a.m., at any time during, or 1560
within ten hours of, a bingo game conducted for amusement only 1561
pursuant to section 2915.12 of the Revised Code, at any ~~location~~ 1562
premises not specified on its ~~bingo~~ license, or on any day of the 1563
week or during any time period not specified on its ~~bingo~~ license. 1564
If circumstances ~~beyond its control~~ make it ~~impossible~~ impractical 1565
for the charitable organization to conduct a bingo session at the 1566
~~location premises, or on the day of the week or at the time,~~ 1567
specified on its ~~bingo~~ license or if a charitable organization 1568
wants to conduct bingo sessions on a day of the week or at a time 1569
other than the day or time specified on its ~~bingo~~ license, the 1570
charitable organization may apply in writing to the attorney 1571
general for an amended ~~bingo~~ license, pursuant to division (F) of 1572
section 2915.08 of the Revised Code. A charitable organization may 1573
apply ~~only once~~ twice in each calendar year for an amended license 1574
to conduct bingo sessions on a day of the week or at a time other 1575
than the day or time specified on its ~~bingo~~ license. If the 1576
amended license is granted, the organization may conduct bingo 1577
sessions at the ~~location premises~~, on the day of the week, and at 1578
the time specified on its amended license. 1579

(7) Permit any person whom the charitable organization knows, 1580
or should have known, is under the age of eighteen to work as a 1581
bingo game operator; 1582

(8) Permit any person whom the charitable organization knows, 1583
or should have known, has been convicted of a felony or gambling 1584
offense in any jurisdiction to be a bingo game operator; 1585

(9) Permit the lessor of the premises on which the bingo 1586
session is conducted, if the lessor is not a charitable 1587
organization, to provide the charitable organization with bingo 1588

game operators, security personnel, concessions, bingo ~~equipment~~ 1589
supplies, or any other type of service or equipment; 1590

(10) Purchase or lease bingo supplies from any person except 1591
a distributor issued a license under section 2915.081 of the 1592
Revised Code; 1593

(11)(a) Use or permit the use of electronic bingo aids except 1594
under the following circumstances: 1595

(i) Not more than fifty-four bingo faces can be played by a 1596
single participant using an electronic bingo aid. 1597

(ii) The charitable organization shall provide a participant 1598
using an electronic bingo aid with corresponding paper bingo cards 1599
or sheets. 1600

(iii) The total price of bingo faces played with an 1601
electronic bingo aid shall be equal to the total price of the same 1602
number of bingo faces played with a paper bingo card or sheet sold 1603
at the same bingo session but without an electronic bingo aid. 1604
1605

(iv) An electronic bingo aid cannot be part of an electronic 1606
network other than a network that includes only bingo aids and 1607
devices that are located on the premises at which the bingo is 1608
being conducted or be interactive with any device not located on 1609
the premises at which the bingo is being conducted. 1610

(v) An electronic bingo aid cannot be used to participate in 1611
bingo that is conducted at a location other than the location at 1612
which the bingo session is conducted and at which the electronic 1613
bingo aid is used. 1614

(vi) An electronic bingo aid cannot be used to provide for 1615
the input of numbers and letters announced by a bingo caller other 1616
than the bingo caller who physically calls the numbers and letters 1617
at the location at which the bingo session is conducted and at 1618
which the electronic bingo aid is used. 1619

(b) The attorney general may adopt rules in accordance with 1620
Chapter 119. of the Revised Code that govern the use of electronic 1621
bingo aids. The rules may include a requirement that an electronic 1622
bingo aid be capable of being audited by the attorney general to 1623
verify the number of bingo cards or sheets played during each 1624
bingo session. 1625

(12) Permit any person the charitable organization knows, or 1626
should have known, to be under eighteen years of age to play bingo 1627
described in division (S)(1) of section 2915.01 of the Revised 1628
Code. 1629

~~(C)~~ (D) Except as otherwise provided in this division, no 1630
charitable organization shall provide to a bingo game operator, 1631
and no bingo game operator shall not receive or accept, any 1632
commission, wage, salary, reward, tip, donation, gratuity, or 1633
other form of compensation, directly or indirectly, regardless of 1634
the source, for operating a conducting bingo game or providing 1635
other work or labor at the site of the bingo game. This division 1636
does not prohibit an employee of a fraternal organization or 1637
veteran's organization from selling instant bingo tickets or cards 1638
to the organization's members, as long as no portion of the 1639
employee's compensation is paid from any receipts of bingo. 1640

~~(D)~~ (E) Notwithstanding division (A)(3)(B)(1) of this section, 1641
a charitable organization that, prior to December 6, 1977, has 1642
entered into written agreements for the lease of premises it owns 1643
to another charitable organization or other charitable 1644
organizations for the conducting of bingo sessions so that more 1645
than two bingo sessions are conducted per calendar week on the 1646
premises, and a person that is not a charitable organization and 1647
that, prior to December 6, 1977, has entered into written 1648
agreements for the lease of premises it owns to charitable 1649
organizations for the conducting of more than two bingo sessions 1650
per calendar week on the premises, may continue to lease the 1651

premises to those charitable organizations, provided that no more
than four sessions are conducted per calendar week, that the
lessor organization or person has notified the attorney general in
writing of the organizations that will conduct the sessions and
the days of the week and the times of the day on which the
sessions will be conducted, that the initial lease entered into
with each organization that will conduct the sessions was filed
with the attorney general prior to December 6, 1977, and that each
organization that will conduct the sessions was issued a license
to conduct bingo games by the attorney general prior to December
6, 1977.

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

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

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

(2) Conduct instant bingo unless that organization is, and
has received from the internal revenue service a determination

letter that is currently in effect stating that the organization 1683
is exempt from federal income taxation under subsection 501(a), is 1684
described in subsection 501(c)(3) of the Internal Revenue Code, is 1685
in good standing in the state pursuant to section 2915.08 of the 1686
Revised Code, and is in compliance with Chapter 1716. of the 1687
Revised Code; 1688

(3) Conduct instant bingo on any day, at any time, or at any 1689
premises not specified on the organization's license issued 1690
pursuant to section 2915.08 of the Revised Code; 1691

(4) Permit any person whom the organization knows or should 1692
have known has been convicted of a felony or gambling offense in 1693
any jurisdiction to be a bingo game operator in the conduct of 1694
instant bingo; 1695

(5) Purchase or lease supplies used to conduct instant bingo 1696
or punch board games from any person except a distributor licensed 1697
under section 2915.081 of the Revised Code; 1698

(6) Sell or provide any instant bingo ticket or card for a 1699
price different from the price printed on it by the manufacturer; 1700

(7) Use any instant bingo ticket or card as a prize or award. 1701
Division (A)(7) of this section does not preclude a charitable 1702
organization from giving a winner of an instant bingo game 1703
additional instant bingo tickets in lieu of a cash prize. 1704

(8) Sell an instant bingo ticket or card to a person under 1705
eighteen years of age; 1706

(9) Fail to keep unsold instant bingo tickets or cards for 1707
less than three years; 1708

(10) Pay any compensation to a bingo game operator for 1709
conducting instant bingo that is conducted by the organization or 1710
for preparing, selling, or serving food or beverages at the site 1711
of the instant bingo game, permit any auxiliary unit or society of 1712

the organization to pay compensation to any bingo game operator 1713
who prepares, sells, or serves food or beverages at an instant 1714
bingo game conducted by the organization, or permit any auxiliary 1715
unit or society of the organization to prepare, sell, or serve 1716
food or beverages at an instant bingo game conducted by the 1717
organization, if the auxiliary unit or society pays any 1718
compensation to the bingo game operators who prepare, sell, or 1719
serve the food or beverages; 1720

(11) Pay fees to any person for any services performed in 1721
relation to an instant bingo game; 1722

(12) Pay fees to any person who provides refreshments to the 1723
participants in an instant bingo game; 1724

(13) Allow instant bingo tickets or cards to be sold to bingo 1725
game operators who are performing work or labor at a premises at 1726
which the organization sells instant bingo tickets or cards or to 1727
be sold to employees of a D permit holder who are working at a 1728
premises at which instant bingo tickets or cards are sold on 1729
behalf of the organization as described in division (B) of section 1730
4301.03 of the Revised Code; 1731

(14) Fail to display its bingo license, and the serial 1732
numbers of the deal of instant bingo tickets or cards to be sold, 1733
conspicuously at each premises at which it sells instant bingo 1734
tickets or cards; 1735

(15) Possess a deal of instant bingo tickets or cards that 1736
was not purchased from a distributor licensed under section 1737
2915.081 of the Revised Code as reflected on an invoice issued by 1738
the distributor that contains all of the information required by 1739
division (E) of section 2915.10 of the Revised Code; 1740

(16) Fail, once it opens a deal of instant bingo tickets or 1741
cards, to continue to sell the tickets or cards in that deal until 1742
the tickets or cards with the top two highest tiers of prizes in 1743

that deal are sold;

1744

(17) Purchase, lease, or use instant bingo ticket dispensers
to sell instant bingo tickets or cards.

1745

1746

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

1747

1748

1749

1750

1751

1752

1753

1754

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

1755

1756

1757

1758

1759

1760

1761

1762

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

1763

1764

1765

1766

1767

1768

1769

Sec. 2915.092. (A) A charitable organization does not need a
license to conduct bingo, in order to conduct a raffle drawing.

1770

1771

(B)(1) No charitable organization shall conduct a raffle
unless the organization is, and has received from the internal

1772

1773

revenue service a determination letter that is currently in effect 1774
stating that the organization is, exempt from federal income 1775
taxation under subsection 501(a) and is described in subsection 1776
501(c)(3) of the Internal Revenue Code. 1777

(2) No charitable organization shall conduct more than 1778
thirty-six raffles during a calendar year. 1779

(3) No person shall be compensated directly or indirectly for 1780
assisting in the conduct or operation of a raffle. 1781

(C) No raffle drawing shall be conducted on premises other 1782
than premises that a charitable organization uses for its 1783
charitable programs. 1784

(D) No person shall fail to use, or give, donate, or 1785
otherwise transfer, the net profit from a raffle for a charitable 1786
purpose described in division (Z) of section 2915.01 of the 1787
Revised Code. 1788

(E) Whoever violates division (B), (C), or (D) of this 1789
section is guilty of illegal conduct of a raffle. Except as 1790
otherwise provided in this division, illegal conduct of a raffle 1791
is a misdemeanor of the first degree. If the offender previously 1792
has been convicted of a violation of division (B), (C), or (D) of 1793
this section, illegal conduct of a raffle is a felony of the fifth 1794
degree. 1795

Sec. 2915.10. (A) ~~A~~ No charitable organization that conducts 1796
~~a bingo session or scheme or a~~ game of chance pursuant to division 1797
(D) of section 2915.02 of the Revised Code, shall fail to maintain 1798
the following records for at least three years from the date on 1799
which the bingo ~~session or scheme~~ or game of chance is conducted: 1800

(1) An itemized list of the gross receipts of each bingo 1801
~~session or scheme or,~~ each game of instant bingo by serial number, 1802
each raffle, each punch board game, and each game of chance; 1803

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

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

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

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

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

(7) An itemized list of all expenses incurred at each bingo
session, each raffle, each punch board game, or each game of

instant bingo conducted by the charitable organization in the sale 1835
of food and beverages by the charitable organization or by an 1836
auxiliary unit or society of the charitable organization, the name 1837
of each person to whom the expenses are paid, and a receipt for 1838
all of the expenses. 1839

(B) The gross profit from each bingo session or game 1840
described in division (S)(1) or (2) of section 2915.01 of the 1841
Revised Code shall be deposited into a checking account devoted 1842
exclusively to the bingo session or game. Payments for allowable 1843
expenses incurred in conducting the bingo session or game and 1844
payments to recipients of some or all of the net profit of the 1845
bingo session or game shall be made only by checks drawn on the 1846
bingo session or game account. 1847

(C) Each charitable organization shall conduct and record an 1848
inventory of all of its bingo supplies as of the first day of 1849
November of each year. 1850

(D) The attorney general may adopt rules in accordance with 1851
Chapter 119. of the Revised Code that establish standards of 1852
accounting, record keeping, and reporting to ensure that gross 1853
receipts from bingo or games of chance are properly accounted for. 1854

(E) A distributor shall maintain, for a period of three years 1855
after the date of its sale or other provision, a record of each 1856
instance of its selling or otherwise providing to another person 1857
bingo supplies for use in this state. The record shall include all 1858
of the following for each instance: 1859

(1) The name of the manufacturer from which the distributor 1860
purchased the bingo supplies and the date of the purchase; 1861

(2) The name and address of the charitable organization or 1862
other distributor to which the bingo supplies were sold or 1863
otherwise provided; 1864

(3) A description that clearly identifies the bingo supplies; 1865

(4) Invoices that include all instant bingo deals sold or 1866
otherwise provided to each charitable organization. 1867

(F) A manufacturer shall maintain, for a period of three 1868
years after the date of its sale or other provision, a record of 1869
each instance of its selling or otherwise providing bingo supplies 1870
for use in this state. The record shall include all of the 1871
following for each instance: 1872

(1) The name and address of the distributor to whom the bingo 1873
supplies were sold or otherwise provided; 1874

(2) A description that clearly identifies the bingo supplies, 1875
including serial numbers; 1876

(3) Invoices that include all instant bingo deals sold or 1877
otherwise provided to each distributor. 1878

(G) The attorney general, or any local law enforcement 1879
agency, may do all of the following: 1880

(1) Investigate any charitable organization or any officer, 1881
agent, trustee, member, or employee of the organization; 1882

(2) Examine the accounts and records of the organization; 1883

(3) Conduct inspections, audits, and observations of bingo 1884
games or schemes or games of chance while they are in session; 1885

(4) Conduct inspections of the premises where bingo games or 1886
schemes or games of chance are operated conducted; 1887

(5) Take any other necessary and reasonable action to 1888
determine if a violation of any provision of sections 2915.01, 1889
~~2915.02, and 2915.07~~ to ~~2915.12~~ 2915.13 of the Revised Code has 1890
occurred and to determine whether section 2915.11 of the Revised 1891
Code has been complied with. 1892

If any local law enforcement agency has reasonable grounds to 1893
believe that a charitable organization or an officer, agent, 1894

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

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

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

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

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

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

(b) Twenty per cent may be distributed for the organization's 1925
own charitable purposes. 1926

(c) Thirty per cent may be deducted and retained by the 1927
organization for the organization's expenses in conducting the 1928
instant bingo game. 1929

(2) If a veteran's organization or a fraternal organization 1930
does not distribute the full percentages specified in divisions 1931
(A)(1)(b) and (c) of this section for the purposes specified in 1932
those divisions, the organization shall distribute the balance of 1933
the net profit not distributed or retained for those purposes to 1934
an organization described in division (Z)(1) of section 2915.01 of 1935
the Revised Code. 1936

(3) A veteran's organization or a fraternal organization is 1937
not required to itemize the organization's expenses. 1938

(B)(1) If a charitable organization other than a veteran's 1939
organization or a fraternal organization conducted the instant 1940
bingo, the organization shall distribute the net profit as 1941
follows: 1942

(a) A minimum of seventy per cent shall be distributed to an 1943
organization described in division (Z)(1) of section 2915.01 of 1944
the Revised Code or to a department or agency of the federal 1945
government, the state, or any political subdivision. 1946

(b) Thirty per cent may be deducted and retained by the 1947
organization for the organization's expenses in conducting the 1948
instant bingo game. 1949

(2) If a charitable organization does not retain the full 1950
percentage specified in division (B)(1)(b) of this section for the 1951
purposes specified in that division, the organization shall 1952
distribute the balance of the net profit not retained for that 1953
purpose to an organization described in division (Z)(1) of section 1954
2915.01 of the Revised Code. 1955

(3) A charitable organization other than a veteran's 1956
organization or fraternal organization is not required to itemize 1957
the charitable organization's expenses. 1958

Sec. 2915.12. (A) Sections 2915.07 to 2915.11 of the Revised 1959
Code do not apply to bingo games that are conducted for the 1960
purpose of amusement only. A bingo game is conducted for the 1961
purpose of amusement only if it complies with all of the 1962
requirements specified in either division (A)(1) or ~~(B)~~(2) of this 1963
section: 1964

~~(A)~~(1)(a) The participants do not pay any money or any other 1965
thing of value including an admission fee, or any fee for bingo 1966
cards, or sheets, objects to cover the spaces, or other devices 1967
used in playing bingo, for the privilege of participating in the 1968
bingo game, or to defray any costs of the game, or pay tips or 1969
make donations during or immediately before or after the bingo 1970
game~~+~~. 1971

~~(2)~~(b) All prizes awarded during the course of the game are 1972
nonmonetary, and in the form of merchandise, goods, or 1973
entitlements to goods or services only, and the total value of all 1974
prizes awarded during the game is less than one hundred dollars~~+~~. 1975

~~(3)~~(c) No commission, wages, salary, reward, tip, donation, 1976
gratuity, or other form of compensation, either directly or 1977
indirectly, and regardless of the source, is paid to any bingo 1978
game operator for work or labor performed at the site of the bingo 1979
game~~+~~. 1980

~~(4)~~(d) The bingo game is not conducted either during or 1981
within ten hours of any of the following: 1982

~~(a)~~(i) A bingo session during which a charitable bingo game 1983
is conducted pursuant to sections 2915.07 to 2915.11 of the 1984
Revised Code; 1985

(b)(ii) A scheme or game of chance other than a bingo game	1986
conducted pursuant to this section, or bingo described in division	1987
(S)(2) of section 2915.01 of the Revised Code.	1988
(5)(e) The number of players participating in the bingo game	1989
does not exceed fifty.	1990
(B)(1)(2)(a) The participants do not pay money or any other	1991
thing of value as an admission fee, and no participant is charged	1992
more than twenty-five cents to purchase a bingo card, <u>or</u> sheet,	1993
objects to cover the spaces, or other devices used in playing	1994
bingo + .	1995
(2)(b) The total amount of money paid by all of the	1996
participants for bingo cards, <u>or</u> sheets, objects to cover the	1997
spaces, or other devices used in playing bingo does not exceed one	1998
hundred dollars + .	1999
(3)(c) All of the money paid for bingo cards, <u>or</u> sheets,	2000
objects to cover spaces, or other devices used in playing bingo	2001
are <u>is</u> used only to pay winners monetary and nonmonetary prizes	2002
and to provide refreshments + .	2003
(4)(d) The total value of all prizes awarded during the game	2004
does not exceed one hundred dollars + .	2005
(5)(e) No commission, wages, salary, reward, tip, donation,	2006
gratuity, or other form of compensation, either directly or	2007
indirectly, and regardless of the source, is paid to any bingo	2008
game operator for work or labor performed at the site of the bingo	2009
game + .	2010
(6)(f) The bingo game is not conducted during or within ten	2011
hours of either of the following:	2012
(a)(i) A bingo session during which a charitable bingo game	2013
is conducted pursuant to sections 2915.07 to 2915.11 of the	2014
Revised Code;	2015

~~(b)(ii)~~ A scheme of chance or game of chance ~~other than a~~ 2016
~~bingo game conducted pursuant to this section, or bingo described~~ 2017
~~in division (S)(2) of section 2915.01 of the Revised Code.~~ 2018

~~(7)(g)~~ All of the participants reside at the premises where 2019
the bingo game is conducted~~7.~~ 2020

~~(8)(h)~~ The bingo games are conducted on different days of the 2021
week and not more than twice in a calendar week. 2022

~~(C)(B)~~ The attorney general~~7~~, or any local law enforcement 2023
agency~~7~~, may investigate the conduct of a bingo game that 2024
purportedly is conducted for purposes of amusement only if there 2025
is reason to believe that the purported amusement bingo game does 2026
not comply with the requirements of either division (A)(1) or 2027
~~(B)(2)~~ of this section. A local law enforcement agency may proceed 2028
by action in the proper court to enforce this section if the local 2029
law enforcement agency gives written notice to the attorney 2030
general when commencing the action. 2031

Sec. 2915.13. (A) A veteran's organization or a fraternal 2032
organization authorized to conduct a bingo session pursuant to 2033
sections 2915.01 to 2915.12 of the Revised Code may conduct 2034
instant bingo other than at a bingo session if both of the 2035
following apply: 2036

(1) The veteran's organization or fraternal organization 2037
limits the sale of instant bingo to ten consecutive hours per day 2038
for up to six days per week. 2039

(2) The veteran's organization or fraternal organization 2040
limits the sale of instant bingo to its own premises and to its 2041
own members and invited guests. 2042

(B) If a veteran's organization or fraternal organization 2043
authorized to conduct instant bingo pursuant to division (A) of 2044
this section is raising money for another charitable organization, 2045

the veteran's organization or fraternal organization shall execute
a written contract with a charitable organization in order to
conduct instant bingo. That contract shall include a statement of
the percentage of the net proceeds that the veteran's or fraternal
organization will be distributing to the charitable organization.

(C) If a veteran's organization or fraternal organization
authorized to conduct instant bingo pursuant to division (A) of
this section has been issued a liquor permit under Chapter 4303.
of the Revised Code, that permit may be subject to suspension,
revocation, or cancellation if the veteran's organization or
fraternal organization violates a provision of sections 2915.01 to
2915.13 of the Revised Code.

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

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

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

immediately prior to April 17, 1963, shall remain in full force 2076
and effect as rules of the liquor control commission until and 2077
unless amended or repealed by the liquor control commission. The 2078
rules of the commission may include the following: 2079

(A) Rules with reference to applications for and the issuance 2080
of permits for the manufacture, distribution, transportation, and 2081
sale of beer and intoxicating liquor, and the sale of alcohol; and 2082
rules governing the procedure of the division of liquor control in 2083
the suspension, revocation, and cancellation of those permits; 2084

(B) Rules and orders providing in detail for the conduct of 2086
any retail business authorized under permits issued pursuant to 2087
this chapter and Chapter 4303. of the Revised Code, with a view to 2088
ensuring compliance with those chapters and laws relative to them, 2089
and the maintenance of public decency, sobriety, and good order in 2090
any place licensed under the permits. No rule or order shall 2091
prohibit the sale of lottery tickets issued pursuant to Chapter 2092
3770. of the Revised Code by any retail business authorized under 2093
permits issued pursuant to that chapter. 2094

No rule or order shall prohibit pari-mutuel wagering on 2095
simulcast horse races at a satellite facility that has been issued 2096
a D liquor permit under Chapter 4303. of the Revised Code. No rule 2097
or order shall prohibit a charitable veteran's organization or a 2098
fraternal organization that holds a D-4 liquor permit, as defined 2099
in Chapters 4301. and 4303. of the Revised Code, from selling or 2100
serving beer or intoxicating liquor under its permit in a portion 2101
of its premises merely because that portion of its premises is 2102
used at other times for the conduct of a charitable bingo game 2103
session or instant bingo other than at a bingo session. However, 2104
~~such an organization shall not sell or serve beer or intoxicating~~ 2105
~~liquor or permit beer or intoxicating liquor to be consumed or~~ 2106
~~seen in the same location in its premises where a charitable bingo~~ 2107

~~game is being conducted while the game is being conducted.~~ As used 2108
in this division, ~~"charitable organization" has the same meaning~~ 2109
~~as in division (H) of section 2915.01 of the Revised Code, and~~ 2110
~~"charitable bingo game session" and "instant bingo" has have the~~ 2111
same meaning meanings as in ~~division (R) of that section 2915.01~~ 2112
of the Revised Code. No rule or order pertaining to visibility 2113
into the premises of a permit holder after the legal hours of sale 2114
shall be adopted or maintained by the commission. 2115

(C) Standards, not in conflict with those prescribed by any 2117
law of this state or the United States, to secure the use of 2118
proper ingredients and methods in the manufacture of beer, mixed 2119
beverages, and wine to be sold within this state; 2120

(D) Rules determining the nature, form, and capacity of all 2121
packages and bottles to be used for containing beer or 2122
intoxicating liquor except for spirituous liquor to be kept or 2123
sold, governing the form of all seals and labels to be used on 2124
those packages and bottles, and requiring the label on every 2125
package, bottle, and container to state the ingredients in the 2126
contents and, except on beer, the terms of weight, volume, or 2127
proof spirits, and whether the same is beer, wine, alcohol, or any 2128
intoxicating liquor except for spirituous liquor; 2129

(E) Uniform rules governing all advertising with reference to 2130
the sale of beer and intoxicating liquor throughout the state and 2131
advertising upon and in the premises licensed for the sale of beer 2132
or intoxicating liquor; 2133

(F) Rules restricting and placing conditions upon the 2134
transfer of permits; 2135

(G) Rules and orders limiting the number of permits of any 2136
class within the state or within any political subdivision of the 2137
state; and, for that purpose, adopting reasonable classifications 2138
of persons or establishments to which any authorized class of 2139

permits may be issued within any political subdivision; 2140

(H) Rules and orders with reference to sales of beer and 2141
intoxicating liquor on Sundays and holidays and with reference to 2142
the hours of the day during which and the persons to whom 2143
intoxicating liquor of any class may be sold, and rules with 2144
reference to the manner of sale; 2145

(I) Rules requiring permit holders buying beer to pay and 2146
permit holders selling beer to collect minimum cash deposits for 2147
kegs, cases, bottles, or other returnable containers of the beer; 2148
requiring the repayment, or credit, of the minimum cash deposit 2149
charges upon the return of the empty containers; and requiring the 2150
posting of such form of indemnity or such other conditions with 2151
respect to the charging, collection, and repayment of minimum cash 2152
deposit charges for returnable containers of beer as are necessary 2153
to ensure the return of the empty containers or the repayment upon 2154
that return of the minimum cash deposits paid; 2155

(J) Rules establishing the method by which alcohol products 2156
may be imported for sale by wholesale distributors and the method 2157
by which manufacturers and suppliers may sell alcohol products to 2158
wholesale distributors. 2159

(K) Rules governing the procedure of the division of liquor 2160
control in the suspension, revocation, and cancellation of permits 2161
issued to a veteran's organization or fraternal organization for a 2162
violation of any provision of sections 2915.01 to 2915.13 of the 2163
Revised Code. As used in this division "veteran's organization" 2164
and "fraternal organization" have the same meanings as in section 2165
2915.01 of the Revised Code. 2166

Every rule, standard, requirement, or order of the commission 2167
and every repeal, amendment, or rescission of them shall be posted 2168
for public inspection in the principal office of the commission 2169
and the principal office of the division of liquor control, and a 2170

certified copy of them shall be filed in the office of the
secretary of state. An order applying only to persons named in it
shall be served on the persons affected by personal delivery of a
certified copy, or by mailing a certified copy to each person
affected by it or, in the case of a corporation, to any officer or
agent 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 rule or order which is not required to be served. General
rules of the commission promulgated pursuant to this section shall
be published in the manner 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
certificate, and the surety shall pay the amount of the bond to
the division. The roster of membership of a D-4 permit holder
shall be submitted under oath on the request of the superintendent
of liquor control. Any information acquired by the superintendent

or the division with respect to ~~such that~~ membership shall not be 2203
open to public inspection or examination and may be divulged by 2204
the superintendent and the division only in hearings before the 2205
liquor control commission or in a court action in which the 2206
division or the superintendent is named a party. 2207

The requirement that a club shall have been in existence for 2208
three years in order to qualify for a D-4 permit does not apply to 2209
units of organizations chartered by congress or to a subsidiary 2210
unit of a national fraternal organization if the parent 2211
organization has been in existence for three years or more at the 2212
time application for a permit is made by ~~such the~~ unit. 2213

No rule or order of the division or commission shall prohibit 2214
a charitable organization ~~that holds a D-4 permit from selling or~~ 2215
~~serving beer or intoxicating liquor under its permit in a portion~~ 2216
~~of its premises merely because that portion of its premises is~~ 2217
~~used at other times for the conduct of a charitable that is a~~ 2218
veteran's organization or a fraternal organization from conducting 2219
bingo game as described in division (S)(2) of section 2915.01 of 2220
the Revised Code on the premises of a D-4 or D-5 permit holder in 2221
accordance with Chapter 2915. of the Revised Code and the 2222
provisions of division (B) of section 4301.03 of the Revised Code. 2223
~~However, such an organization shall not sell or serve beer or~~ 2224
~~intoxicating liquor or permit beer or intoxicating liquor to be~~ 2225
~~consumed or seen in the same location in its premises where a~~ 2226
~~charitable bingo game is being conducted while the game is being~~ 2227
~~conducted.~~ As used in this section, "charitable organization" ~~has~~ 2228
~~the same meaning as in division (H) of section 2915.01 and~~ 2229
~~"charitable bingo game" has~~ have the same ~~meaning~~ meanings as in 2230
~~division (R) of section 2915.01 of the Revised Code.~~ 2231

Section 2. That existing sections 109.32, 173.121, 1531.01, 2232
1711.09, 2915.01, 2915.02, 2915.04, 2915.05, 2915.07, 2915.08, 2233

2915.09, 2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 of the 2234
Revised Code are hereby repealed. 2235

Section 3. The annual license fees prescribed by division 2236
(A)(1) of section 2915.08 of the Revised Code, as amended by this 2237
act, shall not be applied until one year after the effective date 2238
of this act. During that one-year period after the effective date 2239
of this act, the attorney general may, by rule adopted pursuant to 2240
section 111.15 of the Revised Code establish the license fees for 2241
the conduct of bingo, instant bingo at a bingo session, and 2242
instant bingo other than at a bingo session. 2243

Section 4. All applicants that apply for an initial 2244
distributor license under section 2915.081 of the Revised Code 2245
within sixty days after the effective date of this act may sell 2246
bingo supplies as authorized by section 2915.081 of the Revised 2247
Code without a license only until a determination is made by the 2248
attorney general either granting or denying the application for a 2249
license under section 2915.081 of the Revised Code. 2250

Section 5. All applicants that apply for an initial 2251
manufacturer's license under section 2915.082 of the Revised Code 2252
within sixty days after the effective date of this act may sell 2253
bingo supplies as authorized by section 2915.082 of the Revised 2254
Code without a license only until a determination is made by the 2255
attorney general either granting or denying the application for a 2256
license under section 2915.082 of the Revised Code. 2257

Section 6. Divisions (D) and (E)(4) of section 2915.081 of 2258
the Revised Code, as enacted by this act, prohibiting a 2259
distributor from being a lessor of premises used for the conduct 2260
of bingo or having any direct or indirect ownership interest in a 2261
premises used for the conduct of bingo, shall not be applied 2262

against any distributor until one year after the effective date of 2263
this act if the distributor possesses an interest in any premises 2264
used for the conduct of bingo on the effective date of this act. 2265

Section 7. Division (A)(4) of section 2915.08 of the Revised 2266
Code shall not be applied until one year after the effective date 2267
of this act. 2268

Section 8. Section 2915.09 of the Revised Code is presented 2269
in this act as a composite of the section as amended by both Am. 2270
Sub. S.B. 70 and Am. Sub. S.B. 2 of the 121st General Assembly. 2271
The General Assembly, applying the principle stated in division 2272
(B) of section 1.52 of the Revised Code that amendments are to be 2273
harmonized if reasonably capable of simultaneous operation, finds 2274
that the composite is the resulting version of the section in 2275
effect prior to the effective date of the section as presented in 2276
this act. 2277