

As Reported by the House State Government Committee

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Sub. H. B. No. 512

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

A B I L L

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

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

Section 1. That sections 109.32, 173.121, 1531.01, 1711.09, 19
2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2915.10, 20

2915.12, 3763.01, 4301.03, and 4303.17 be amended and sections 21
2915.081, 2915.082, 2915.091, 2915.092, and 2915.101 of the 22
Revised Code be enacted to read as follows: 23

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

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

(B) Notwithstanding sections 2915.07 to 2915.12 of the 48
Revised Code, a multipurpose senior center may conduct bingo games 49
described in division (S)(1) of section 2915.01 of the Revised 50

Code, but only if it complies with all of the following 51
requirements: 52

(1) All bingo games are conducted only on the premises of the 53
facility. 54

(2) All participants are sixty years of age or older. 55

(3) All bingo game operators are sixty years of age or older 56
and receive no compensation for serving as operators. 57

(4) No participant is charged an admission fee, and no 58
participant is charged more than twenty-five cents to purchase a 59
bingo card or a card, sheet, or other device described in division 60
~~(S)(2)(a) of section 2915.01 of the Revised Code.~~ 61

(5) All proceeds from games are used only for any of the 62
following: 63

(a) To pay winners monetary or nonmonetary prizes; 64

(b) To provide refreshments; 65

(c) To defray any costs directly related to conducting the 66
games; 67

(d) To defray costs of services the facility provides in 68
accordance with section 173.12 of the Revised Code. 69

Sec. 1531.01. As used in this chapter and Chapter 1533. of 70
the Revised Code: 71

(A) "Person" means individual, company, partnership, 72
corporation, municipal corporation, association, or any 73
combination of individuals, or any employee, agent, or officer 74
thereof. 75

(B) "Resident" means any individual who has resided in this 76
state for not less than six months next preceding the date of 77
making application for a license. 78

(C) "Nonresident" means any individual who does not qualify as a resident.	79 80
(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.	81 82 83
(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.	84 85 86
(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.	87 88 89
(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.	90 91 92 93 94 95 96 97 98 99
(H) "Possession" means both actual and constructive possession and any control of things referred to.	100 101
(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.	102 103 104
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	105 106
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	107 108

(L) "Whole to include part" means that every provision 109
relating to any wild animal protected by this chapter and Chapter 110
1533. of the Revised Code applies to any part of the wild animal 111
with the same effect as it applies to the whole. 112

(M) "Angling" means fishing with not more than two hand 113
lines, not more than two units of rod and line, or a combination 114
of not more than one hand line and one rod and line, either in 115
hand or under control at any time while fishing. The hand line or 116
rod and line shall have attached to it not more than three baited 117
hooks, not more than three artificial fly rod lures, or one 118
artificial bait casting lure equipped with not more than three 119
sets of three hooks each. 120

(N) "Trotline" means a device for catching fish that consists 121
of a line having suspended from it, at frequent intervals, 122
vertical lines with hooks attached. 123

(O) "Fish" means a cold-blooded vertebrate having fins. 124

(P) "Measurement of fish" means length from the end of the 125
nose to the longest tip or end of the tail. 126

(Q) "Wild birds" includes game birds and nongame birds. 127

(R) "Game" includes game birds, game quadrupeds, and 128
fur-bearing animals. 129

(S) "Game birds" includes mourning doves, ringneck pheasants, 130
bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated 131
grouse, wild turkey, Hungarian partridge, Chukar partridge, 132
woodcocks, black-breasted plover, golden plover, Wilson's snipe or 133
jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, 134
duck, geese, brant, and crows. 135

(T) "Nongame birds" includes all other wild birds not 136
included and defined as game birds. 137

(U) "Wild quadrupeds" includes game quadrupeds and 138

fur-bearing animals.	139
(V) "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, wild boar, and black bears.	140 141 142 143
(W) "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.	144 145 146
(X) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals, but does not include domestic deer.	147 148 149
(Y) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds whether or not the acts result in killing or wounding. "Hunting" includes every attempt to kill or wound and every act of assistance to any other person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.	150 151 152 153 154 155 156 157
(Z) "Trapping" means securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing, or using any device that is designed to close upon, hold fast, confine, or otherwise capture a wild bird or wild quadruped whether or not the means results in capture. "Trapping" includes every act of assistance to any other person in capturing wild birds or wild quadrupeds by means of the device whether or not the means results in capture.	158 159 160 161 162 163 164 165
(AA) "Muskrat spear" means any device used in spearing muskrats.	166 167
(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland	168 169

in Lake Erie.	170
(CC) "Island" means a rock or land elevation above the waters of Lake Erie having an area of five or more acres above water.	171 172 173
(DD) "Reef" means an elevation of rock, either broken or in place, or gravel shown by the latest United States chart to be above the common level of the surrounding bottom of the lake, other than the rock bottom, or in place forming the base or foundation rock of an island or mainland and sloping from the shore of it. "Reef" also means all elevations shown by that chart to be above the common level of the sloping base or foundation rock of an island or mainland, whether running from the shore of an island or parallel with the contour of the shore of an island or in any other way and whether formed by rock, broken or in place, or from gravel.	174 175 176 177 178 179 180 181 182 183 184
(EE) "Fur farm" means any area used exclusively for raising fur-bearing animals or in addition thereto used for hunting game, the boundaries of which are plainly marked as such.	185 186 187
(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.	188 189 190
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.	191 192
(HH) "Commercial fish" means those species of fish permitted to be taken, possessed, bought, or sold unless otherwise restricted by the Revised Code or division rule and are alewife (Alosa pseudoharengus), American eel (Anguilla rostrata), bowfin (Amia calva), burbot (Lota lota), carp (Cyprinus carpio), smallmouth buffalo (Ictiobus bubalus), bigmouth buffalo (Ictiobus cyprinellus), black bullhead (Ictalurus melas), yellow bullhead (Ictalurus natalis), brown bullhead (Ictalurus nebulosus), channel	193 194 195 196 197 198 199 200

catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictis olivaris*), whitefish (*Coregonus* sp.), cisco (*Coregonus* sp.), freshwater drum or sheepshead (*Aplodinotus grunniens*), gar (*Lepisosteus* sp.), gizzard shad (*Dorosoma cepedianum*), goldfish (*Carassius auratus*), lake trout (*Salvelinus namaycush*), mooneye (*Hiodon tergisus*), quillback (*Carpiodes cyprinus*), smelt (*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other than buffalo and quillback (*Carpiodes* sp., *Catostomus* sp., *Hypentelium* sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone chrysops*), white perch (*Roccus americanus*), and yellow perch (*Perca flavescens*). When the common name of a fish is used in this chapter or Chapter 1533. of the Revised Code, it refers to the fish designated by the scientific name in this definition.

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

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

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

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

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

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

meshes hanging squarely while the nets are fishing.	232
(OO) "Fishing guide" means any person who, for consideration	233
or hire, operates a boat, rents, leases, or otherwise furnishes	234
angling devices, ice fishing shanties or shelters of any kind, or	235
other fishing equipment, and accompanies, guides, directs, or	236
assists any other person in order for the other person to engage	237
in fishing.	238
(PP) "Net" means fishing devices with meshes composed of	239
twine or synthetic material and includes, but is not limited to,	240
trap nets, fyke nets, crib nets, carp aprons, dip nets, and	241
seines, except minnow seines and minnow dip nets.	242
(QQ) "Commercial fishing gear" means seines, trap nets, fyke	243
nets, dip nets, carp aprons, trotlines, other similar gear, and	244
any boat used in conjunction with that gear, but does not include	245
gill nets.	246
(RR) "Native wildlife" means any species of the animal	247
kingdom indigenous to this state.	248
(SS) "Gill net" means a single section of fabric or netting	249
seamed to a float line at the top and a lead line at the bottom,	250
which is designed to entangle fish in the net openings as they	251
swim into it.	252
(TT) "Tag fishing tournament" means a contest in which a	253
participant pays a fee, or gives other valuable consideration, for	254
a chance to win a prize by virtue of catching a tagged or	255
otherwise specifically marked fish within a limited period of	256
time, but does not include a scheme of chance conducted under	257
division (D)(1) of section 2915.02 of the Revised Code.	258
(UU) "Tenant" means an individual who resides on land for	259
which the individual pays rent and whose annual income is	260
primarily derived from agricultural production conducted on that	261
land, as "agricultural production" is defined in section 929.01 of	262

the Revised Code.	263
(VV) "Nonnative wildlife" means any wild animal not indigenous to this state, but does not include domestic deer.	264 265
(WW) "Reptiles" includes common musk turtle (<i>sternotherus odoratus</i>), common snapping turtle (<i>Chelydra serpentina serpentina</i>), spotted turtle (<i>Clemmys guttata</i>), eastern box turtle (<i>Terrapene carolina carolina</i>), Blanding's turtle (<i>Emydoidea blandingii</i>), common map turtle (<i>Graptemys geographica</i>), ouachita map turtle (<i>Graptemys pseudogeographica ouachitensis</i>), midland painted turtle (<i>Chrysemys picta marginata</i>), red-eared slider (<i>Trachemys scripta elegans</i>), eastern spiny softshell turtle (<i>Apalone spinifera spinifera</i>), midland smooth softshell turtle (<i>Apalone mutica mutica</i>), northern fence lizard (<i>Sceloporus undulatus hyacinthinus</i>), ground skink (<i>Scincella lateralis</i>), five-lined skink (<i>Eumeces fasciatus</i>), broadhead skink (<i>Eumeces laticeps</i>), northern coal skink (<i>Eumeces anthracinus anthracinus</i>), European wall lizard (<i>Podarcis muralis</i>), queen snake (<i>Regina septemvittata</i>), Kirtland's snake (<i>Clonophis kirtlandii</i>), northern water snake (<i>Nerodia sipedon sipedon</i>), Lake Erie watersnake (<i>Nerodia sipedon insularum</i>), copperbelly water snake (<i>Nerodia erythrogaster neglecta</i>), northern brown snake (<i>Storeria dekayi dekayi</i>), midland brown snake (<i>Storeria dekayi wrightorum</i>), northern redbelly snake (<i>Storeria occipitomaculata occipitomaculata</i>), eastern garter snake (<i>Thamnophis sirtalis sirtalis</i>), eastern plains garter snake (<i>Thamnophis radix radix</i>), Butler's garter snake (<i>Thamnophis butleri</i>), shorthead garter snake (<i>Thamnophis brachystoma</i>), eastern ribbon snake (<i>Thamnophis sauritus sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>), eastern smooth earth snake (<i>Virginia valeriae valeriae</i>), northern ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest worm snake (<i>Carphophis amoenus helenae</i>), eastern worm snake (<i>Carphophis</i>	266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294

amoenus amoenus), black racer (*Coluber constrictor constrictor*), 295
blue racer (*Coluber constrictor foxii*), rough green snake 296
(*Opheodrys aestivus*), smooth green snake (*Opheodrys vernalis* 297
vernalis), black rat snake (*Elaphe obsoleta obsoleta*), eastern fox 298
snake (*Elaphe vulpina gloydi*), black kingsnake (*Lampropeltis* 299
getula nigra), eastern milk snake (*Lampropeltis triangulum* 300
triangulum), northern copperhead (*Agkistrodon contortrix mokasen*), 301
eastern massasauga (*Sistrurus catenatus catenatus*), and timber 302
rattlesnake (*Crotalus horridus horridus*). 303

(XX) "Amphibians" includes eastern hellbender (*Cryptobranchus* 304
alleganiensis alleganiensis), mudpuppy (*Necturus maculosus* 305
maculosus), red-spotted newt (*Notophthalmus viridescens* 306
viridescens), Jefferson salamander (*Ambystoma jeffersonianum*), 307
spotted salamander (*Ambystoma maculatum*), blue-spotted salamander 308
(*Ambystoma laterale*), smallmouth salamander (*Ambystoma texanum*), 309
streamside salamander (*Ambystoma barbouri*), marbled salamander 310
(*Ambystoma opacum*), eastern tiger salamander (*Ambystoma tigrinum* 311
tigrinum), northern dusky salamander (*Desmognathus fuscus fuscus*), 312
mountain dusky salamander (*Desmognathus ochrophaeus*), redback 313
salamander (*Plethodon cinereus*), ravine salamander (*Plethodon* 314
richmondi), northern slimy salamander (*Plethodon glutinosus*), 315
Wehrle's salamander (*Plethodon wehrlei*), four-toed salamander 316
(*Hemidactylium scutatum*), Kentucky spring salamander (*Gyrinophilus* 317
porphyriticus duryi), northern spring salamander (*Gyrinophilus* 318
porphyriticus porphyriticus), mud salamander (*Pseudotriton* 319
montanus), northern red salamander (*Pseudotriton ruber ruber*), 320
green salamander (*Aneides aeneus*), northern two-lined salamander 321
(*Eurycea bislineata*), longtail salamander (*Eurycea longicauda* 322
longicauda), cave salamander (*Eurycea lucifuga*), southern 323
two-lined salamander (*Eurycea cirrigera*), Fowler's toad (*Bufo* 324
woodhousii fowleri), American toad (*Bufo americanus*), eastern 325
spadefoot (*Scaphiopus holbrookii*), Blanchard's cricket frog (*Acris* 326

crepitans blanchardi), northern spring peeper (Pseudacris crucifer 327
crucifer), gray treefrog (Hyla versicolor), Cope's gray treefrog 328
(Hyla chrysoscelis), western chorus frog (Pseudacris triseriata 329
triseriata), mountain chorus frog (Pseudacris brachyphona), 330
bullfrog (Rana catesbeiana), green frog (Rana clamitans melanota), 331
northern leopard frog (Rana pipiens), pickerel frog (Rana 332
palustris), southern leopard frog (Rana utricularia), and wood 333
frog (Rana sylvatica). 334

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

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

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

Sec. 1711.09. Except as otherwise provided in this section, 343
county agricultural societies, independent agricultural societies, 344
and the Ohio expositions commission shall not permit during any 345
fair, or for one week before or three days ~~thereafter~~ after any 346
fair, any dealing in spirituous liquors, or at any time allow or 347
tolerate immoral shows, lottery devices, games of chance, or 348
gambling of any kind, including pool selling and paddle wheels, 349
anywhere on the fairground; and shall permit no person at any time 350
to operate any side show, amusement, game, or device, or offer for 351
sale any novelty by auction or solicitation, on ~~such the~~ 352
fairground who has not first obtained from the director of 353
agriculture ~~such a license as is provided by~~ under section 1711.11 354
of the Revised Code. This section does not prohibit the sale of 355
lottery tickets by the state lottery commission pursuant to 356
Chapter 3770. of the Revised Code at the state fairground during 357

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

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

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

Sec. 2915.01. As used in this chapter: 375

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

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

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

(D) "Game of chance" means poker, craps, roulette, a slot 385
machine, ~~a punch board~~, or other game in which a player gives 386
anything of value in the hope of gain, the outcome of which is 387

determined largely ~~or wholly~~ by chance, but does not include 388
bingo. 389

(E) "~~Scheme or game~~ Game of chance conducted for profit" 390
means any ~~scheme or~~ game of chance designed to produce income for 391
the person who conducts or operates the ~~scheme or~~ game of chance, 392
but does not include ~~a charitable bingo game.~~ 393

(F) "Gambling device" means any of the following: 394

(1) A book, totalizer, or other equipment for recording bets; 395
396

(2) A ticket, token, or other device representing a chance, 397
share, or interest in a scheme of chance, ~~except a charitable~~ 398
~~bingo game,~~ or evidencing a bet; 399

(3) A deck of cards, dice, gaming table, roulette wheel, slot 400
machine, ~~punch board,~~ or other apparatus designed for use in 401
connection with a game of chance; 402

(4) Any equipment, device, apparatus, or paraphernalia 403
specially designed for gambling purposes; 404

(5) Bingo supplies sold or otherwise provided, or used, in 405
violation of this chapter. 406

(G) "Gambling offense" means any of the following: 407

(1) A violation of section 2915.02, 2915.03, 2915.04, 408
2915.05, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 409
2915.092, 2915.10, or 2915.11 of the Revised Code; 410

(2) A violation of an existing or former municipal ordinance 411
or law of this or any other state or the United States 412
substantially equivalent to any section listed in division (G)(1) 413
of this section or a violation of section 2915.06 of the Revised 414
Code as it existed prior to ~~the effective date of this amendment~~ 415
July 1, 1996; 416

(3) An offense under an existing or former municipal 417

ordinance or law of this or any other state or the United States,
of which gambling is an element;

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

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

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

(J) "Educational organization" means any organization within
this state that is not organized for profit, ~~the primary purpose~~
~~of which~~ and that is organized for educational purposes. As used
in this division, "educational purposes" means to provide

scholarships, to educate and develop the capabilities of 450
individuals through instruction, ~~and that operates~~ or to operate 451
~~or contributes~~ contribute to the support of a school, academy, 452
college, or university. 453

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

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

(M) "Fraternal organization" means any society, order, or 472
association within this state, except a college or high school 473
fraternity, that is not organized for profit, that is a branch, 474
lodge, or chapter of a national or state organization, that exists 475
exclusively for the common business or sodality of its members, 476
and that has been in continuous existence in this state for a 477
period of ~~five~~ two years. As used in this division, "national or 478
state organization" means an organization that has been in 479
continuous existence as such for a period of at least five years 480
and that has a national or state dues-paying membership, as 481

applicable. 482

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

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

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

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

(R) "Charitable bingo game" means any bingo game described in 510
division (S)(1) or (2) of this section that is conducted by a 511
charitable organization that has obtained a ~~bingo~~ license pursuant 512
to section 2915.08 of the Revised Code and the proceeds of which 513

are used for a charitable purpose. 514

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

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

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

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

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

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

~~(2) Any scheme or game other than a game as defined in~~ 541
~~division (S)(1) of this section with the following~~ 542
~~characteristics:~~ 543

~~(a) The participants use cards, sheets, or other devices that~~ 544

are divided into spaces arranged in horizontal, vertical, or
diagonal rows of spaces, with each space, except free spaces,
being designated by a single letter, number, or symbol; by a
combination of letters, numbers, or symbols; by a combination of a
letter and a number, a letter and a symbol, or a number and a
symbol; or by any combination of letters, numbers, and symbols,
with some or none of the spaces being designated as a free,
complimentary, or similar space.

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

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

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

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(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.

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(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

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the bingo cards or sheets, selecting from a receptacle the objects 576
that contain the combination of letters and numbers that appear on 577
~~the bingo cards or sheets~~, calling out the combinations of letters 578
and numbers, distributing prizes ~~to the winner of the bingo game~~, 579
selling or redeeming instant bingo tickets or cards, supervising 580
the operation of a punch board, selling raffle tickets, selecting 581
raffle tickets from a receptacle and announcing the winning 582
numbers in a raffle, and preparing, selling, and serving food or 583
beverages. 584

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

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

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

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

(2) The person who purchases the food or beverage receives 605
nothing of value except the food or beverage and items customarily 606
received with the purchase of that food or beverage. 607

(3) The food and beverages are sold at customary and reasonable prices. 608
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~~(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.~~ 610
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(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. 614
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~~(Z) "To use gross receipts for a charitable Charitable purpose" means that the proceeds net profit of the bingo game are, other than instant bingo, is used by, or is given, donated, or otherwise transferred to, any of the following:~~ 621
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~~(1) Any organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code; that the proceeds of the bingo game are used by, or given, donated, or otherwise transferred to a~~ 625
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~~(2) A veteran's organization, as defined in division (K) of this section, that is a post, chapter, or organization of war veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post, chapter, or organization organized in the United States or any of its possessions, at least seventy-five per cent of the members of which are war veterans and substantially all of the other members of which are individuals~~ 632
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who are veterans (but not war veterans) or are cadets, or are 639
spouses, widows, or widowers of war veterans, or such individuals, 640
provided that no part of the net earnings of such post, ~~chapter,~~ 641
or organization inures to the benefit of any private shareholder 642
or individual, and further provided that the ~~bingo game proceeds~~ 643
are net profit is used by the post, ~~chapter,~~ or organization for 644
the charitable purposes set forth in division (B)(12) of section 645
5739.02 of the Revised Code, ~~are~~ is used for awarding scholarships 646
to or for attendance at an institution mentioned in division 647
(B)(12) of section 5739.02 of the Revised Code, ~~are~~ is donated to 648
a governmental agency, or ~~are~~ is used for nonprofit youth 649
activities, the purchase of United States or Ohio flags that are 650
donated to schools, youth groups, or other bona fide nonprofit 651
organizations, promotion of patriotism, or disaster relief; ~~that~~ 652
~~the proceeds of the bingo game are used by, or given, donated, or~~ 653
~~otherwise transferred to a~~ 654

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

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

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

(BB) "Youth athletic organization" means any organization, 669
not organized for profit, that is organized and operated 670

exclusively to provide financial support to, or to operate,
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.

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

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

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(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.

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

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

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

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

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

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

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

(II) "Punch board" means a board containing a number of holes

or receptacles of uniform size in which are placed, mechanically 734
and randomly, serially numbered slips of paper that may be punched 735
or drawn from the hole or receptacle when used in conjunction with 736
instant bingo. A player may punch or draw the numbered slips of 737
paper from the holes or receptacles and obtain the prize 738
established for the game if the number drawn corresponds to a 739
winning number or, if the punch board includes the use of a seal 740
card, a potential winning number. 741

(JJ) "Gross profit" means gross receipts minus the amount 742
actually expended for the payment of prize awards. 743

(KK) "Net profit" means gross profit minus expenses. 744

(LL) "Expenses" means the reasonable amount of gross profit 745
actually expended for all of the following: 746

(1) The purchase or lease of bingo supplies; 747

(2) The annual license fee required under section 2915.08 of 748
the Revised Code; 749

(3) Bank fees and service charges for a bingo session or game 750
account described in section 2915.10 of the Revised Code; 751

(4) Audits and accounting services; 752

(5) Safes; 753

(6) Cash registers; 754

(7) Hiring security personnel; 755

(8) Advertising bingo; 756

(9) Renting premises in which to conduct bingo; 757

(10) Tables and chairs; 758

(11) Any other product or service directly related to the 759
conduct of bingo that is authorized in rules adopted by the 760
attorney general under division (B)(1) of section 2915.08 of the 761

Revised Code.

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

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

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

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

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

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

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

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

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<u>(2) It performs no gaming functions.</u>	792
<u>(3) It does not contain a video display monitor or generate noise.</u>	793 794
<u>(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations.</u>	795 796
<u>(5) It does not simulate or display rolling or spinning reels.</u>	797 798
<u>(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.</u>	799 800 801 802
<u>(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses.</u>	803 804
<u>(8) It is not part of an electronic network and is not interactive.</u>	805 806
<u>(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:</u>	807 808 809 810
<u>(a) It provides a means for a participant to input numbers and letters announced by a bingo caller.</u>	811 812
<u>(b) It compares the numbers and letters entered by the participant to the bingo faces previously stored in the memory of the device.</u>	813 814 815
<u>(c) It identifies a winning bingo pattern.</u>	816
<u>(2) "Electronic bingo aid" does not include any device into which a coin, currency, token, or an equivalent is inserted to activate play.</u>	817 818 819

Sec. 2915.02. (A) No person shall do any of the following:	820
(1) Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;	821 822
(2) Establish, promote, or operate or knowingly engage in conduct that facilitates any scheme or game of chance conducted for profit <u>or any scheme of chance</u> ;	823 824 825
(3) Knowingly procure, transmit, exchange, or engage in conduct that facilitates the procurement, transmission, or exchange of information for use in establishing odds or determining winners in connection with bookmaking or with any scheme or game of chance conducted for profit <u>or any scheme of chance</u> ;	826 827 828 829 830 831
(4) Engage in betting or in playing any scheme or game of chance, except a charitable bingo game , as a substantial source of income or livelihood;	832 833 834
(5) With purpose to violate division (A)(1), (2), (3), or (4) of this section, acquire, possess, control, or operate any gambling device.	835 836 837
(B) For purposes of division (A)(1) of this section, a person facilitates bookmaking if the person in any way knowingly aids an illegal bookmaking operation, including, without limitation, placing a bet with a person engaged in or facilitating illegal bookmaking. For purposes of division (A)(2) of this section, a person facilitates a scheme or game of chance conducted for profit <u>or a scheme of chance</u> if the person in any way knowingly aids in the conduct or operation of any such scheme or game <u>or scheme</u> , including, without limitation, playing any such scheme or game <u>or scheme</u> .	838 839 840 841 842 843 844 845 846 847
(C) This section does not prohibit conduct in connection with gambling expressly permitted by law.	848 849

(D) This section does not apply to any of the following: 850

~~(1) Schemes of chance conducted by a charitable organization 851
that is, and has received from the internal revenue service a 852
determination letter that is currently in effect stating that the 853
organization is, exempt from federal income taxation under 854
subsection 501(a) and described in subsection 501(c)(3) of the 855
Internal Revenue Code, provided that all of the money or assets 856
received from the scheme of chance after deduction only of prizes 857
paid out during the conduct of the scheme of chance are used by, 858
or given, donated, or otherwise transferred to, any organization 859
that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) 860
of the Internal Revenue Code and is either a governmental unit or 861
an organization that is tax exempt under subsection 501(a) and 862
described in subsection 501(c)(3) of the Internal Revenue Code, 863
and provided that the scheme of chance is not conducted during, or 864
within ten hours of, a bingo game conducted for amusement purposes 865
only pursuant to section 2915.12 of the Revised Code; 866~~

~~(2) Games of chance, if all of the following apply: 867~~

~~(a) The games of chance are not craps for money, roulette for 868
money, or slot machines; 869~~

~~(b) The games of chance are conducted by a charitable 870
organization that is, and has received from the internal revenue 871
service a determination letter that is currently in effect, 872
stating that the organization is, exempt from federal income 873
taxation under subsection 501(a) and described in subsection 874
501(c)(3) of the Internal Revenue Code; 875~~

~~(c) The games of chance are conducted at festivals of the 876
charitable organization that are conducted either for a period of 877
four consecutive days or less and not more than twice a year or 878
for a period of five consecutive days not more than once a year, 879
and are conducted on premises owned by the charitable organization 880~~

for a period of no less than one year immediately preceding the 881
conducting of the games of chance, on premises leased from a 882
governmental unit, or on premises that are leased from a veteran's 883
or fraternal organization and that have been owned by the lessor 884
veteran's or fraternal organization for a period of no less than 885
one year immediately preceding the conducting of the games of 886
chance. 887

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

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

(e) The games of chance are not conducted during, or within 910
ten hours of, a bingo game conducted for amusement purposes only 911
pursuant to section 2915.12 of the Revised Code. 912

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

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

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

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

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

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

(1) The subject of a bet;

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

(3) A scheme or game of chance;

(4) Bingo.

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

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

(2) Engage in conduct designed to corrupt the outcome of an athletic or sporting event. 942
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(C)(1) Whoever violates division (A) of this section is 944
guilty of cheating~~7~~. Except as otherwise provided in this 945
division, cheating is a misdemeanor of the first degree. If the 946
potential gain from the cheating is five hundred dollars or more 947
or if the offender previously has been convicted of any gambling 948
offense or of any theft offense, as defined in section 2913.01 of 949
the Revised Code, cheating is a felony of the fifth degree. 950

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

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

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

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

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

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

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

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

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

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The application, and shall contain all of the following:

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

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

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

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(4)(d) A statement of the applicant's previous history, record, and association that is sufficient to establish that the applicant is a charitable organization, and a copy of a

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determination letter that is issued by the Internal Revenue 1002
Service and states that the organization is tax exempt under 1003
subsection 501(a) and described in subsection 501(c)(3), 1004
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 1005
Revenue Code; 1006

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

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

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

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

+9)+(i) If the applicant is a charitable organization as 1026
defined in section 1716.01 of the Revised Code, a statement as to 1027
whether it has filed with the attorney general a registration 1028
statement pursuant to section 1716.02 of the Revised Code and a 1029
financial report pursuant to section 1716.04 of the Revised Code, 1030
and, if it is not required to do both, the exemption in section 1031
1716.03 of the Revised Code that applies to it; 1032

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

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

this ~~paragraph~~ division does not prohibit the attorney general 1065
from rejecting the applicant's application because of acts that 1066
the applicant committed, or actions that the applicant failed to 1067
take, before or after the issuance of the temporary permit. 1068

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

(B)(1) The attorney general shall adopt rules to enforce 1086
division (B)(3) of section 4301.03 and sections 2915.01, 2915.02, 1087
and 2915.07 to 2915.12 of the Revised Code to ensure that bingo 1088
~~games are~~ is conducted in accordance with that division and those 1089
sections, and to maintain proper control over the conduct of bingo 1090
~~games~~. The rules, except rules adopted pursuant to division 1091
divisions (A)(7)(2)(g) and (G) of this section, shall be adopted 1092
pursuant to Chapter 119. of the Revised Code. The attorney general 1093
shall license charitable organizations to conduct bingo ~~games~~ in 1094
conformance with this chapter and with the licensing provisions of 1095
Chapter 119. of the Revised Code. 1096

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

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

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

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

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

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

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

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

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

(1) The issuance of the license;

(2) The issuance of the amended license;

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

(4) The revocation of any license previously issued;

(5) The suspension of any license previously issued.

(E) A ~~bingo~~ license issued by the attorney general shall set forth the information contained on the application of the charitable organization that the attorney general determines is relevant, including, but not limited to, the location at which the organization will conduct ~~the bingo game~~ and the days of the week and the times on each of those days when a bingo ~~session~~ will be conducted. If the attorney general refuses to grant or revokes or suspends a ~~bingo~~ license, the attorney general shall notify the applicant in writing and specifically identify the reason for the refusal, revocation, or suspension in narrative form and, if applicable, by identifying the section of the Revised Code violated. The failure of the attorney general to give the written notice of the reasons for the refusal, revocation, or suspension or a mistake in the written notice does not affect the validity of the attorney general's refusal to grant, or the revocation or suspension of, a ~~bingo~~ license. If the attorney general fails to give the written notice or if there is a mistake in the written notice, the applicant may bring an action to compel the attorney general to comply with this division or to correct the mistake,

but the attorney general's order refusing to grant, or revoking or 1159
suspending, a bingo license shall not be enjoined during the 1160
pendency of the action. 1161

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

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

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

from the attorney general under this section. 1191

(B) The attorney general may issue a distributor license to any person that meets the requirements of this section. The application for the license shall be on a form prescribed by the attorney general and be accompanied by the annual fee prescribed by this section. The license is valid for a period of one year, and the annual fee for the license is two thousand five hundred dollars. 1192
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(C) The attorney general may refuse to issue a distributor license to any person to which any of the following applies, or to any person that has an officer, partner, or other person who has an ownership interest of ten per cent or more and to whom any of the following applies: 1199
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(1) The person, officer, or partner has been convicted of a felony under the laws of this state, another state, or the United States. 1204
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(2) The person, officer, or partner has been convicted of any gambling offense. 1207
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(3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section or in a similar application submitted to a gambling licensing authority in another jurisdiction if the statement resulted in license revocation through administrative action in the other jurisdiction. 1209
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(4) The person, officer, or partner has submitted any incorrect or false information relating to the application to the attorney general under this section, if the information is material to the granting of the license. 1216
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(5) The person, officer, or partner has failed to correct any 1220

incorrect or false information that is material to the granting of 1221
the license in the records required to be maintained under 1222
division (E) of section 2915.10 of the Revised Code. 1223

(6) The person, officer, or partner has had a license related 1224
to gambling revoked or suspended under the laws of this state, 1225
another state, or the United States. 1226

(D) The attorney general shall not issue a distributor 1227
license to any person that is involved in the conduct of bingo on 1228
behalf of a charitable organization or that is a lessor of 1229
premises used for the conduct of bingo. This division does not 1230
prohibit a distributor from advising charitable organizations on 1231
the use and benefit of specific bingo supplies or prohibit a 1232
distributor from advising a customer on operational methods to 1233
improve bingo profitability. 1234

(E)(1) No distributor shall sell, offer to sell, or otherwise 1235
provide or offer to provide bingo supplies to any person for use 1236
in this state except to a charitable organization that has been 1237
issued a license under section 2915.08 of the Revised Code or to 1238
another distributor that has been issued a license under this 1239
section. No distributor shall accept payment for the sale or other 1240
provision of bingo supplies other than by check. 1241

(2) No distributor shall provide a charitable organization 1242
with free samples of instant bingo tickets or cards, punch boards, 1243
or seal cards. No distributor may donate, give, loan, lease, or 1244
otherwise provide any bingo supplies or equipment to a charitable 1245
organization for use in a bingo session conditioned on or in 1246
consideration for an exclusive right to provide bingo supplies to 1247
the charitable organization. 1248

(3) No distributor shall purchase bingo supplies for use in 1249
this state from any person except from a manufacturer issued a 1250
license under section 2915.082 of the Revised Code or from another 1251

distributor issued a license under this section. Subject to 1252
division (D) of section 2915.082 of the Revised Code, no 1253
distributor shall pay for purchased bingo supplies other than by 1254
check. 1255

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

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

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

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

(G) Whoever violates division (A) or (E) of this section is 1275
guilty of illegally operating as a distributor. Except as 1276
otherwise provided in this division, illegally operating as a 1277
distributor is a misdemeanor of the first degree. If the offender 1278
previously has been convicted of a violation of division (A) or 1279
(E) of this section, illegally operating as a distributor is a 1280
felony of the fifth degree. 1281

Sec. 2915.082. (A) No manufacturer shall sell, offer to sell, or otherwise provide or offer to provide bingo supplies for use in this state without having obtained a license from the attorney general under this section. 1282
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(B) The attorney general may issue a manufacturer license to any person that meets the requirements of this section. The application for the license shall be on a form prescribed by the attorney general and be accompanied by the annual fee prescribed by this section. The license is valid for a period of one year, and the annual fee for the license is two thousand five hundred dollars. 1286
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(C) The attorney general may refuse to issue a manufacturer license to any person to which any of the following applies, or to any person that has an officer, partner, or other person who has an ownership interest of ten per cent or more and to whom any of the following applies: 1293
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(1) The person, officer, or partner has been convicted of a felony under the laws of this state, another state, or the United States. 1298
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(2) The person, officer, or partner has been convicted of any gambling offense. 1301
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(3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section or in a similar application submitted to a gambling licensing authority in another jurisdiction if the statement resulted in license revocation through administrative action in the other jurisdiction. 1303
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(4) The person, officer, or partner has submitted any incorrect or false information relating to the application to the 1310
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attorney general under this section, if the information is 1312
material to the granting of the license. 1313

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

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

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

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

(3) No manufacturer shall sell, offer to sell, lease, offer 1339
to lease, or otherwise provide or offer to provide bingo cards or 1340
sheets other than uniquely identifiable bingo cards or sheets or 1341
resell or reuse uniquely identifiable bingo cards or sheets, 1342

including electronic representations or image formats. 1343

(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. 1344
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(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. 1350
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Sec. 2915.09. (A) A No charitable organization that conducts a bingo ~~game~~ shall fail to do all any of the following: 1357
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(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; 1359
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(2) Use all of the gross receipts from ~~the bingo game~~ for paying prizes, ~~for the charitable purposes listed in its bingo license application~~ renting premises in which to conduct bingo, for purchasing or leasing bingo ~~cards and other equipment~~ supplies used in conducting ~~the bingo game~~, for hiring security personnel ~~for the bingo game, or for~~ advertising ~~the bingo game, or for~~ other expenses listed in division (LL) of section 2915.01 of the Revised Code, provided that the amount of the receipts so spent is not more than is customary and reasonable for a similar purchase, lease, hiring, ~~or~~ advertising, ~~and for renting premises in which to conduct the bingo game, except that if~~ or expense. If the 1363
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building in which ~~the game bingo~~ is conducted is owned by the 1374
charitable organization conducting ~~the game bingo~~ and it includes 1375
a form of bingo described in division (S)(1) of section 2915.01 of 1376
the Revised Code, the charitable organization may deduct from the 1377
total amount of the gross receipts from each session a sum equal 1378
to the lesser of six hundred dollars or forty-five per cent of the 1379
gross receipts from the ~~session~~ bingo described in that division 1380
as consideration for the use of the premises~~†~~. If that charitable 1381
organization conducts bingo described in division (S)(2) of 1382
section 2915.01 of the Revised Code, but not simultaneously with 1383
any bingo described in division (S)(1) of that section, it may 1384
deduct a sum of not more than five per cent of the gross receipts 1385
as consideration for the use of the premises. 1386

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

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

(1) Conduct the bingo game on premises that are owned by the 1397
charitable organization, on premises that are owned by another 1398
charitable organization and leased from that charitable 1399
organization for a rental rate not in excess of ~~four~~ the lesser of 1400
six hundred fifty dollars per bingo session or forty-five per cent 1401
of the gross receipts of the bingo session, on premises that are 1402
leased from a person other than a charitable organization for a 1403
rental rate that is not more than is customary and reasonable for 1404
premises that are similar in location, size, and quality but not 1405

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

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

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

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

(1) Pay any compensation to a bingo game operator for 1436
operating a bingo ~~game~~ session that is conducted by the charitable 1437

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

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

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

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

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

(6) Conduct a bingo session at any time during the ten-hour 1464
period between midnight and ten a.m., at any time during, or 1465
within ten hours of, a bingo game conducted for amusement only 1466
pursuant to section 2915.12 of the Revised Code, at any ~~location~~ 1467
premises not specified on its ~~bingo~~ license, or on any day of the 1468
week or during any time period not specified on its ~~bingo~~ license. 1469

If circumstances ~~beyond its control~~ make it ~~impossible~~ impractical 1470
for the charitable organization to conduct a bingo session at the 1471
location premises, or on the day of the week or at the time, 1472
specified on its ~~bingo~~ license or if a charitable organization 1473
wants to conduct bingo sessions on a day of the week or at a time 1474
other than the day or time specified on its ~~bingo~~ license, the 1475
charitable organization may apply in writing to the attorney 1476
general for an amended ~~bingo~~ license, pursuant to division (F) of 1477
section 2915.08 of the Revised Code. A charitable organization may 1478
apply ~~only once~~ twice in each calendar year for an amended license 1479
to conduct bingo sessions on a day of the week or at a time other 1480
than the day or time specified on its ~~bingo~~ license. If the 1481
amended license is granted, the organization may conduct bingo 1482
sessions at the location premises, on the day of the week, and at 1483
the time specified on its amended license. 1484

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

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

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

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

(11) Use bingo cards or sheets other than uniquely 1499
identifiable bingo cards or sheets or resell or reuse uniquely 1500
identifiable bingo cards or sheets, including electronic 1501

representations or image formats; 1502

(12)(a) Use or permit the use of electronic bingo aids except 1503
under the following circumstances: 1504

(i) Not more than one hundred forty-four bingo faces can be 1505
played by a single participant using an electronic bingo aid. 1506

(ii) The charitable organization shall provide a participant 1507
using an electronic bingo aid with corresponding paper bingo cards 1508
or sheets. 1509

(iii) The total price of bingo faces played with an 1510
electronic bingo aid shall be equal to the total price of the same 1511
number of bingo faces played with a paper bingo card or sheet sold 1512
at the same bingo session but without an electronic bingo aid. 1513
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(iv) An electronic bingo aid cannot be part of an electronic 1515
network or be interactive. 1516

(v) An electronic bingo aid cannot be used to participate in 1517
bingo that is conducted at a location other than the location at 1518
which the bingo session is conducted and at which the electronic 1519
bingo aid is used. 1520

(vi) An electronic bingo aid cannot be used to provide for 1521
the input of numbers and letters announced by a bingo caller other 1522
than the bingo caller who physically calls the numbers and letters 1523
at the location at which the bingo session is conducted and at 1524
which the electronic bingo aid is used. 1525

(b) The attorney general may adopt rules in accordance with 1526
Chapter 119. of the Revised Code that govern the use of electronic 1527
bingo aids. The rules may include a requirement that an electronic 1528
bingo aid be capable of being audited by the attorney general to 1529
verify the number of bingo cards or sheets played during each 1530
bingo session. 1531

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

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

6, 1977. 1564

~~(E)~~(F) Whoever violates division (A)(2) of this section is 1565
guilty of illegally conducting a bingo game, a felony of the 1566
fourth degree. ~~Whoever~~ Except as otherwise provided in this 1567
division, whoever violates division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ 1568
(B)(1), (2), or (3), ~~or~~ (C), or (D) of this section is guilty of a 1569
minor misdemeanor. If the offender previously has been convicted 1570
of a violation of division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ (B)(1), 1571
(2), or (3), ~~or~~ (C), or (D) of this section, a violation of 1572
division (A)(1), ~~or~~ (3), ~~(4), or (5),~~ (B)(1), (2), or (3), ~~or~~ (C), 1573
or (D) of this section is a misdemeanor of the first degree. 1574

Sec. 2915.091. (A) No charitable organization that conducts 1575
instant bingo shall do any of the following: 1576

(1) Fail to comply with the requirements of divisions (A)(1), 1577
(2), and (3) of section 2915.09 of the Revised Code; 1578

(2) Conduct instant bingo unless that organization is, and 1579
has received from the internal revenue service a determination 1580
letter that is currently in effect stating that the organization 1581
is, exempt from federal income taxation under subsection 501(a) 1582
and is described in subsection 501(c)(3), 501(c)(4), 501(c)(8), 1583
501(c)(10), or 501(c)(19) of the Internal Revenue Code; 1584

(3) Conduct instant bingo on any day, at any time, or at any 1585
premises not specified on the organization's license issued 1586
pursuant to section 2915.08 of the Revised Code; 1587

(4) Permit any person whom the organization knows or should 1588
have known has been convicted of a felony or gambling offense in 1589
any jurisdiction to be a bingo game operator in the conduct of 1590
instant bingo; 1591

(5) Purchase or lease supplies used to conduct instant bingo 1592
or punch board games from any person except a distributor licensed 1593

<u>under section 2915.081 of the Revised Code;</u>	1594
<u>(6) Conduct instant bingo more than twelve hours in any day</u>	1595
<u>or more than six days in any seven-day period;</u>	1596
<u>(7) Sell or provide any instant bingo ticket or card for a</u>	1597
<u>price different from the price printed on it by the manufacturer;</u>	1598
<u>(8) Use any instant bingo ticket or card as a prize or award.</u>	1599
<u>Division (A)(8) of this section does not preclude a charitable</u>	1600
<u>organization from giving a winner of an instant bingo game</u>	1601
<u>additional instant bingo tickets in lieu of a cash prize.</u>	1602
<u>(9) Sell an instant bingo ticket or card to a person under</u>	1603
<u>eighteen years of age;</u>	1604
<u>(10) Fail to keep unsold instant bingo tickets or cards for</u>	1605
<u>less than three years;</u>	1606
<u>(11) Pay any compensation to a bingo game operator for</u>	1607
<u>conducting instant bingo that is conducted by the organization or</u>	1608
<u>for preparing, selling, or serving food or beverages at the site</u>	1609
<u>of the instant bingo game, permit any auxiliary unit or society of</u>	1610
<u>the organization to pay compensation to any bingo game operator</u>	1611
<u>who prepares, sells, or serves food or beverages at an instant</u>	1612
<u>bingo game conducted by the organization, or permit any auxiliary</u>	1613
<u>unit or society of the organization to prepare, sell, or serve</u>	1614
<u>food or beverages at an instant bingo game conducted by the</u>	1615
<u>organization, if the auxiliary unit or society pays any</u>	1616
<u>compensation to the bingo game operators who prepare, sell, or</u>	1617
<u>serve the food or beverages;</u>	1618
<u>(12) Pay fees to any person for any services performed in</u>	1619
<u>relation to an instant bingo game;</u>	1620
<u>(13) Pay fees to any person who provides refreshments to the</u>	1621
<u>participants in an instant bingo game;</u>	1622
<u>(14) Allow instant bingo tickets or cards to be sold to bingo</u>	1623

game operators who are performing work or labor at a premises at 1624
which the organization sells instant bingo tickets or cards or to 1625
be sold to employees of a D permit holder who are working at a 1626
premises at which instant bingo tickets or cards are sold on 1627
behalf of the organization as described in division (B)(3) of 1628
section 4301.03 of the Revised Code; 1629

(15) Fail to display its bingo license, and the serial 1630
numbers of the boxes of instant bingo tickets or cards to be sold, 1631
conspicuously at each premises at which it sells instant bingo 1632
tickets or cards; 1633

(16) Possess a box of instant bingo tickets or cards that was 1634
not purchased from a distributor licensed under section 2915.081 1635
of the Revised Code as reflected on an invoice issued by the 1636
distributor that contains all of the information required by 1637
division (E) of section 2915.10 of the Revised Code; 1638

(17) Fail, once it opens a box of instant bingo tickets or 1639
cards, to continue to sell the tickets or cards in that box until 1640
the tickets or cards with the top two highest tiers of prizes in 1641
that box are sold. 1642

(B)(1) A charitable organization may conduct instant bingo 1643
other than at a bingo session at not more than five separate 1644
locations. 1645

(2) A charitable organization may purchase or lease, and may 1646
use, instant bingo ticket dispensers to sell instant bingo tickets 1647
or cards. 1648

(C) The attorney general may adopt rules in accordance with 1649
Chapter 119. of the Revised Code that govern the conduct of 1650
instant bingo by charitable organizations. Before those rules are 1651
adopted, the attorney general shall reference the recommended 1652
standards for opacity, randomization, minimum information, winner 1653
protection, color, and cutting for instant bingo tickets or cards, 1654

seal cards, and punch boards established by the North American gaming regulators association. No rule shall prohibit or limit the legal conduct of instant bingo by, or the number of instant bingo games being conducted by, charitable organizations.

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

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

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

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

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

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Sec. 2915.10. (A) A No charitable organization that conducts 1686
a bingo ~~session or scheme or~~ a game of chance pursuant to division 1687
(D) of section 2915.02 of the Revised Code, shall fail to maintain 1688
the following records for at least three years from the date on 1689
which the bingo ~~session or scheme~~ or game of chance is conducted: 1690

(1) An itemized list of the gross receipts of each bingo 1691
~~session or scheme or~~, each game of instant bingo by serial number, 1692
each raffle, each punch board game, and each game of chance; 1693

(2) An itemized list of all expenses, other than prizes, that 1694
are incurred in conducting the bingo session or instant bingo, the 1695
name of each person to whom the expenses are paid, and a receipt 1696
for all of the expenses; 1697

(3) A list of all prizes awarded during the each bingo 1698
~~session or scheme or~~, each raffle, each punch board game, and each 1699
game of chance conducted by the charitable organization, the total 1700
prizes awarded from each game of instant bingo by serial number, 1701
and the name and, address, and social security number of all 1702
persons who are winners of prizes of ~~one~~ six hundred dollars or 1703
more in value; 1704

(4) An itemized list of the ~~charitable~~ recipients of the 1705
~~proceeds net profit~~ of the bingo ~~session or scheme~~ or game of 1706
chance, including the name and address of each recipient to whom 1707
the money is distributed, and if the organization uses the 1708
~~proceeds net profit~~ of a bingo ~~session~~, or the money or assets 1709
received from a ~~scheme or~~ game of chance, for any charitable or 1710
other purpose set forth in division (Z) of section 2915.01 ~~or~~, 1711
division (D) of section 2915.02, or section 2915.101 of the 1712
Revised Code, a list of each purpose and an itemized list of each 1713
expenditure for each purpose; 1714

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

charitable organization; 1717

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

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

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

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

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

(E) A distributor shall maintain, for a period of three years 1745
after the date of its sale or other provision, a record of each 1746
instance of its selling or otherwise providing to another person 1747

bingo supplies for use in this state. The record shall include all 1748
of the following for each instance: 1749

(1) The name of the manufacturer from which the distributor 1750
purchased the bingo supplies and the date of the purchase; 1751

(2) The name and address of the charitable organization or 1752
other distributor to which the bingo supplies were sold or 1753
otherwise provided; 1754

(3) A description that clearly identifies the bingo supplies; 1755

(4) Invoices that include the nonrepeating serial numbers of 1756
all bingo cards and sheets and all instant bingo tickets or cards 1757
sold or otherwise provided to each charitable organization. 1758

(F) A manufacturer shall maintain, for a period of three 1759
years after the date of its sale or other provision, a record of 1760
each instance of its selling or otherwise providing bingo supplies 1761
for use in this state. The record shall include all of the 1762
following for each instance: 1763

(1) The name and address of the distributor to whom the bingo 1764
supplies were sold or otherwise provided; 1765

(2) A description that clearly identifies the bingo supplies; 1766

(3) Invoices that include the nonrepeating serial numbers of 1767
all bingo cards and sheets and all instant bingo tickets or cards 1768
sold or otherwise provided to each distributor. 1769

(G) The attorney general, or any local law enforcement 1770
agency, may do all of the following: 1771

(1) Investigate any charitable organization or any officer, 1772
agent, trustee, member, or employee of the organization; 1773

(2) Examine the accounts and records of the organization; 1774

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

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

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

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

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

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

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

(A)(1) If a veteran's organization or a fraternal organization conducted the instant bingo, the organization shall distribute the net profit as follows: 1808
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(a) Fifty per cent shall be distributed to an organization listed in division (Z) of section 2915.01 of the Revised Code or to a department or agency of the federal government, the state, or any political subdivision; 1811
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(b) Twenty per cent may be distributed for the organization's own charitable purposes; 1815
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(c) Thirty per cent may be deducted and retained by the organization for the organization. 1817
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(2) If a veteran's organization or a fraternal organization does not distribute the full percentages specified in divisions (A)(1)(b) and (c) of this section as authorized in those divisions, the organization shall distribute the balance of the net profit not so distributed to an organization listed in division (Z) of section 2915.01 of the Revised Code. 1819
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(B)(1) If a charitable organization other than a veteran's organization or a fraternal organization conducted the instant bingo, the organization shall distribute the net profit as follows: 1825
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(a) Seventy per cent shall be distributed to an organization listed in division (Z) of section 2915.01 of the Revised Code or to a department or agency of the federal government, the state, or any political subdivision; 1829
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(b) Thirty per cent may be deducted and retained by the organization for the organization. 1833
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(2) If a charitable organization does not distribute the full percentage specified in division (B)(1)(b) of this section as authorized in that division, the organization shall distribute the 1835
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balance of the net profit not so distributed to an organization 1838
listed in division (Z) of section 2915.01 of the Revised Code. 1839

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

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

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

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

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

(a) A bingo session during which a charitable bingo game is 1864
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1865
Code; 1866

(b) A scheme or game of chance ~~other than a bingo game~~ 1867

~~conducted pursuant to this section, or bingo described in division~~ 1868
~~(S)(2) of section 2915.01 of the Revised Code.~~ 1869

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

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

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

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

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

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

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

(a) A bingo session during which a charitable bingo game is 1893
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1894
Code; 1895

(b) A scheme of chance or game of chance ~~other than a bingo~~ 1896
~~game conducted pursuant to this section, or bingo described in~~ 1897

division (S)(2) of section 2915.01 of the Revised Code. 1898

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

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

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

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

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

Sec. 4301.03. The liquor control commission may adopt ~~and~~ 1925
~~promulgate~~, repeal, rescind, and amend, in the manner required by 1926
this section, rules, standards, requirements, and orders necessary 1927

to carry out ~~Chapters 4301.~~ this chapter and Chapter 4303. of the 1928
Revised Code, but all rules of the board of liquor control which 1929
were in effect immediately prior to April 17, 1963, shall remain 1930
in full force and effect as rules of the liquor control commission 1931
until and unless amended or repealed by the ~~liquor control~~ 1932
commission. The rules of the commission may include the following: 1933
1934

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

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

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

(3) No rule or order shall prohibit pari-mutuel wagering on 1951
simulcast horse races at a satellite facility that has been issued 1952
a D liquor permit under Chapter 4303. of the Revised Code. No rule 1953
or order shall prohibit a charitable organization ~~that holds a D-4~~ 1954
~~permit from selling or serving beer or intoxicating liquor under~~ 1955
~~its permit in a portion of its premises merely because that~~ 1956
~~portion of its premises is used at other times for the conduct of~~ 1957
~~a charitable~~ from conducting bingo game as described in division 1958

(S)(2) of section 2915.01 of the Revised Code on the premises of a 1959
D permit holder in accordance with Chapter 2915. of the Revised 1960
Code and the following provisions: 1961

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

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

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

(d) The permit of the D permit holder is subject to 1980
suspension, revocation, or cancellation if the D permit holder or 1981
the permit holder's employees violate a provision of sections 1982
2915.01 to 2915.11 of the Revised Code while conducting bingo on 1983
the permit holder's premises. However, such an organization shall 1984
not sell or serve beer or intoxicating liquor or permit beer or 1985
intoxicating liquor to be consumed or seen in the same location in 1986
its premises where a charitable bingo game is being conducted 1987
while the game is being conducted. As 1988

As used in this division divisions (B)(3) and (4) of this 1989
section, "charitable organization," has the same meaning as in 1990

division (H) of section 2915.01 "bingo supplies," and "charitable
bingo game" ~~has~~ have the same ~~meaning~~ meanings as in division (R)
of section 2915.01 of the Revised Code. ~~No~~

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

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

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

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

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

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

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

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

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

(J) Rules establishing the method by which alcohol products 2047
may be imported for sale by wholesale distributors and the method 2048
by which manufacturers and suppliers may sell alcohol products to 2049
wholesale distributors. 2050

Every rule, standard, requirement, or order of the 2051
commission, and every repeal, amendment, or rescission ~~thereof~~ of 2052

them shall be posted for public inspection in the principal office 2053
of the commission and the principal office of the division of 2054
liquor control, and a certified copy ~~thereof~~ of them shall be 2055
filed in the office of the secretary of state. An order applying 2056
only to persons named ~~therein~~ in it shall be served on the persons 2057
affected by personal delivery of a certified copy, or by mailing 2058
~~such a~~ certified copy to each person affected ~~thereby~~ by it, or, 2059
in the case of a corporation, to any officer or agent ~~thereof~~ of 2060
the corporation upon whom a service of summons may be served in a 2061
civil action. The posting and filing required by this section 2062
constitutes sufficient notice to all persons affected by ~~such a~~ 2063
rule or order ~~which~~ that is not required to be served. General 2064
rules of the commission promulgated pursuant to this section shall 2065
be published in ~~such a~~ the manner ~~as~~ the commission determines. 2066

Sec. 4303.17. Permit D-4 may be issued to a club which has 2067
been in existence for three years or more prior to the issuance of 2068
~~such~~ the permit to sell beer and any intoxicating liquor to its 2069
members only, in glass or container, for consumption on the 2070
premises where sold. The fee for this permit is three hundred 2071
seventy-five dollars. No such permit shall be granted or retained 2072
until all elected officers of ~~such~~ the organization controlling 2073
~~such~~ the club have filed with the division of liquor control a 2074
statement certifying that ~~such~~ the club is operated in the 2075
interest of the membership of a reputable organization, which is 2076
maintained by a dues paying membership, setting forth the amount 2077
of initiation fee and yearly dues. All such matters shall be 2078
contained in a statement signed under oath and accompanied by a 2079
surety bond in the sum of one thousand dollars. ~~Such~~ The bond 2080
shall be declared forfeited in the full amount of the penal sum of 2081
the bond for any false statement contained in ~~such~~ the 2082
certificate, and the surety shall pay the amount of the bond to 2083
the division. The roster of membership of a D-4 permit holder 2084

shall be submitted under oath on the request of the superintendent 2085
of liquor control. Any information acquired by the superintendent 2086
or the division with respect to ~~such~~ that membership shall not be 2087
open to public inspection or examination and may be divulged by 2088
the superintendent and the division only in hearings before the 2089
liquor control commission or in a court action in which the 2090
division or the superintendent is named a party. 2091

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

No rule or order of the division or commission shall prohibit 2098
a charitable organization ~~that holds a D-4 permit from selling or~~ 2099
~~selling beer or intoxicating liquor under its permit in a portion~~ 2100
~~of its premises merely because that portion of its premises is~~ 2101
~~used at other times for the conduct of a charitable~~ from 2102
conducting bingo game as described in division (S)(2) of section 2103
2915.01 of the Revised Code on the premises of a D-4 permit holder 2104
in accordance with Chapter 2915. of the Revised Code and the 2105
provisions of division (B)(3) of section 4301.03 of the Revised 2106
Code. However, ~~such an organization shall not sell or serve beer~~ 2107
~~or intoxicating liquor or permit beer or intoxicating liquor to be~~ 2108
~~consumed or seen in the same location in its premises where a~~ 2109
~~charitable bingo game is being conducted while the game is being~~ 2110
~~conducted.~~ As used in this section, "charitable organization" ~~has~~ 2111
~~the same meaning as in division (H) of section 2915.01 and~~ 2112
~~"charitable bingo game" has~~ have the same meaning meanings as in 2113
~~division (R) of section 2915.01 of the Revised Code.~~ 2114

Section 2. That existing sections 109.32, 173.121, 1531.01, 2115

1711.09, 2915.01, 2915.02, 2915.05, 2915.07, 2915.08, 2915.09, 2116
2915.10, 2915.12, 3763.01, 4301.03, and 4303.17 of the Revised 2117
Code are hereby repealed. 2118

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

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

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

Section 6. Divisions (D) and (E)(4) of section 2915.081 of 2141
the Revised Code, as enacted by this act, shall not be applied 2142
against any distributor until one year after the distributor is 2143
granted a distributor's license under that section if the 2144

distributor possesses an interest in any premises used for the 2145
conduct of bingo on the effective date of this act. 2146

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

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