

As Reported by the Senate Judiciary--Civil Justice Committee

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 512

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

A B I L L

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) To provide refreshments; 67

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

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

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

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

combination of individuals, or any employee, agent, or officer
thereof. 76
77

(B) "Resident" means any individual who has resided in this
state for not less than six months next preceding the date of
making application for a license. 78
79
80

(C) "Nonresident" means any individual who does not qualify
as a resident. 81
82

(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. 83
84
85

(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. 86
87
88

(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. 89
90
91

(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. 92
93
94
95
96
97
98
99
100
101

(H) "Possession" means both actual and constructive
possession and any control of things referred to. 102
103

(I) "Bag limit" means the number, measurement, or weight of
any kind of crayfish, aquatic insects, fish, frogs, turtles, wild 104
105

birds, and wild quadrupeds permitted to be taken.	106
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	107 108
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	109 110
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part of the wild animal with the same effect as it applies to the whole.	111 112 113 114
(M) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	115 116 117 118 119 120 121 122
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.	123 124 125
(O) "Fish" means a cold-blooded vertebrate having fins.	126
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	127 128
(Q) "Wild birds" includes game birds and nongame birds.	129
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	130 131
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or	132 133 134 135

jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules,	136
duck, geese, brant, and crows.	137
(T) "Nongame birds" includes all other wild birds not	138
included and defined as game birds.	139
(U) "Wild quadrupeds" includes game quadrupeds and	140
fur-bearing animals.	141
(V) "Game quadrupeds" includes cottontail rabbits, gray	142
squirrels, black squirrels, fox squirrels, red squirrels, flying	143
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer,	144
wild boar, and black bears.	145
(W) "Fur-bearing animals" includes minks, weasels, raccoons,	146
skunks, opossums, muskrats, fox, beavers, badgers, otters,	147
coyotes, and bobcats.	148
(X) "Wild animals" includes mollusks, crustaceans, aquatic	149
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds,	150
and all other wild mammals, but does not include domestic deer.	151
(Y) "Hunting" means pursuing, shooting, killing, following	152
after or on the trail of, lying in wait for, shooting at, or	153
wounding wild birds or wild quadrupeds while employing any device	154
commonly used to kill or wound wild birds or wild quadrupeds	155
whether or not the acts result in killing or wounding. "Hunting"	156
includes every attempt to kill or wound and every act of	157
assistance to any other person in killing or wounding or	158
attempting to kill or wound wild birds or wild quadrupeds.	159
(Z) "Trapping" means securing or attempting to secure	160
possession of a wild bird or wild quadruped by means of setting,	161
placing, drawing, or using any device that is designed to close	162
upon, hold fast, confine, or otherwise capture a wild bird or wild	163
quadruped whether or not the means results in capture. "Trapping"	164
includes every act of assistance to any other person in capturing	165
wild birds or wild quadrupeds by means of the device whether or	166

not the means results in capture.	167
(AA) "Muskrat spear" means any device used in spearing muskrats.	168 169
(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland in Lake Erie.	170 171 172
(CC) "Island" means a rock or land elevation above the waters of Lake Erie having an area of five or more acres above water.	173 174 175
(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.	176 177 178 179 180 181 182 183 184 185 186
(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.	187 188 189
(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.	190 191 192
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.	193 194
(HH) "Commercial fish" means those species of fish permitted to be taken, possessed, bought, or sold unless otherwise	195 196

As Reported by the Senate Judiciary--Civil Justice Committee

restricted by the Revised Code or division rule and are alewife	197
(<i>Alosa pseudoharengus</i>), American eel (<i>Anguilla rostrata</i>), bowfin	198
(<i>Amia calva</i>), burbot (<i>Lota lota</i>), carp (<i>Cyprinus carpio</i>),	199
smallmouth buffalo (<i>Ictiobus bubalus</i>), bigmouth buffalo (<i>Ictiobus</i>	200
<i>cyprinellus</i>), black bullhead (<i>Ictalurus melas</i>), yellow bullhead	201
(<i>Ictalurus natalis</i>), brown bullhead (<i>Ictalurus nebulosus</i>), channel	202
catfish (<i>Ictalurus punctatus</i>), flathead catfish (<i>Pylodictis</i>	203
<i>olivaris</i>), whitefish (<i>Coregonus</i> sp.), cisco (<i>Coregonus</i> sp.),	204
freshwater drum or sheepshead (<i>Aplodinotus grunniens</i>), gar	205
(<i>Lepisosteus</i> sp.), gizzard shad (<i>Dorosoma cepedianum</i>), goldfish	206
(<i>Carassius auratus</i>), lake trout (<i>Salvelinus namaycush</i>), mooneye	207
(<i>Hiodon tergisus</i>), quillback (<i>Carpionodes cyprinus</i>), smelt	208
(<i>Allosmerus elongatus</i> , <i>Hypomesus</i> sp., <i>Osmerus</i> sp., <i>Spirinchus</i>	209
sp.), sturgeon (<i>Acipenser</i> sp., <i>Scaphirhynchus</i> sp.), sucker other	210
than buffalo and quillback (<i>Carpionodes</i> sp., <i>Catostomus</i> sp.,	211
<i>Hypentelium</i> sp., <i>Minytrema</i> sp., <i>Moxostoma</i> sp.), white bass (<i>Morone</i>	212
<i>chrysops</i>), white perch (<i>Roccus americanus</i>), and yellow perch	213
(<i>Perca flavescens</i>). When the common name of a fish is used in this	214
chapter or Chapter 1533. of the Revised Code, it refers to the	215
fish designated by the scientific name in this definition.	216
(II) "Fishing" means taking or attempting to take fish by any	217
method, and all other acts such as placing, setting, drawing, or	218
using any device commonly used to take fish whether resulting in a	219
taking or not.	220
(JJ) "Fillet" means the pieces of flesh taken or cut from	221
both sides of a fish, joined to form one piece of flesh.	222
(KK) "Part fillet" means a piece of flesh taken or cut from	223
one side of a fish.	224
(LL) "Round" when used in describing fish means with head and	225
tail intact.	226
(MM) "Migrate" means the transit or movement of fish to or	227

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

(<i>Thamnophis brachystoma</i>), eastern ribbon snake (<i>Thamnophis</i>	291
<i>sauritus sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus</i>	292
<i>septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>),	293
eastern smooth earth snake (<i>Virginia valeriae valeriae</i>), northern	294
ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest worm snake	295
(<i>Carphophis amoenus helenae</i>), eastern worm snake (<i>Carphophis</i>	296
<i>amoenus amoenus</i>), black racer (<i>Coluber constrictor constrictor</i>),	297
blue racer (<i>Coluber constrictor foxii</i>), rough green snake	298
(<i>Opheodrys aestivus</i>), smooth green snake (<i>Opheodrys vernalis</i>	299
<i>vernalis</i>), black rat snake (<i>Elaphe obsoleta obsoleta</i>), eastern fox	300
snake (<i>Elaphe vulpina gloydi</i>), black kingsnake (<i>Lampropeltis</i>	301
<i>getula nigra</i>), eastern milk snake (<i>Lampropeltis triangulum</i>	302
<i>triangulum</i>), northern copperhead (<i>Agkistrodon contortrix mokasen</i>),	303
eastern massasauga (<i>Sistrurus catenatus catenatus</i>), and timber	304
rattlesnake (<i>Crotalus horridus horridus</i>).	305
(XX) "Amphibians" includes eastern hellbender (<i>Cryptobranchus</i>	306
<i>alleganiensis alleganiensis</i>), mudpuppy (<i>Necturus maculosus</i>	307
<i>maculosus</i>), red-spotted newt (<i>Notophthalmus viridescens</i>	308
<i>viridescens</i>), Jefferson salamander (<i>Ambystoma jeffersonianum</i>),	309
spotted salamander (<i>Ambystoma maculatum</i>), blue-spotted salamander	310
(<i>Ambystoma laterale</i>), smallmouth salamander (<i>Ambystoma texanum</i>),	311
streamside salamander (<i>Ambystoma barbouri</i>), marbled salamander	312
(<i>Ambystoma opacum</i>), eastern tiger salamander (<i>Ambystoma tigrinum</i>	313
<i>tigrinum</i>), northern dusky salamander (<i>Desmognathus fuscus fuscus</i>),	314
mountain dusky salamander (<i>Desmognathus ochrophaeus</i>), redback	315
salamander (<i>Plethodon cinereus</i>), ravine salamander (<i>Plethodon</i>	316
<i>richmondi</i>), northern slimy salamander (<i>Plethodon glutinosus</i>),	317
Wehrle's salamander (<i>Plethodon wehrlei</i>), four-toed salamander	318
(<i>Hemidactylium scutatum</i>), Kentucky spring salamander (<i>Gyrinophilus</i>	319
<i>porphyriticus duryi</i>), northern spring salamander (<i>Gyrinophilus</i>	320
<i>porphyriticus porphyriticus</i>), mud salamander (<i>Pseudotriton</i>	321
<i>montanus</i>), northern red salamander (<i>Pseudotriton ruber ruber</i>),	322

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

Sec. 2915.01. As used in this chapter: 377

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

415
416
417
418

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

419
420
421

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

422
423
424

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

425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

511
512
513
514
515

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

516
517
518
519
520

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

521

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

522

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

523
524
525
526
527
528
529

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

530
531
532

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

533
534
535
536
537
538
539
540

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

541

As Reported by the Senate Judiciary--Civil Justice Committee

properly announces during the interval between the announcements 542
of letters and numbers as described in division (S)(1)(c) of this 543
section, that a predetermined and preannounced pattern of spaces 544
has been covered on a bingo card or sheet being used by the 545
participant. 546

~~(2) Any scheme or game other than a game as defined in 547
division (S)(1) of this section with the following 548
characteristics: 549~~

~~(a) The participants use cards, sheets, or other devices that 550
are divided into spaces arranged in horizontal, vertical, or 551
diagonal rows of spaces, with each space, except free spaces, 552
being designated by a single letter, number, or symbol; by a 553
combination of letters, numbers, or symbols; by a combination of a 554
letter and a number, a letter and a symbol, or a number and a 555
symbol; or by any combination of letters, numbers, and symbols, 556
with some or none of the spaces being designated as a free, 557
complimentary, or similar space. 558~~

~~(b) The participants cover the spaces on the cards, sheets, 559
or devices that correspond to letters, numbers, symbols, or 560
combinations of such that are announced by a bingo game operator 561
or otherwise transmitted to the participants. 562~~

~~(c) A bingo game operator announces, or otherwise transmits 563
to the participants, letters, numbers, symbols, or any combination 564
of such as set forth in division (S)(2)(a) of this section that 565
appear on objects that a bingo game operator selects by chance 566
that correspond to one of the possible letters, numbers, symbols, 567
or combinations of such that can appear on the bingo cards, 568
sheets, or devices. 569~~

~~(d) The winner of the bingo game is any participant who 570
properly announces that a predetermined and preannounced pattern 571
of spaces has been covered on a card, sheet, or device being used 572~~

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

573

(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.~~

574

575

576

577

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

578

579

580

581

582

583

584

585

586

587

588

589

590

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

591

592

593

594

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

595

596

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

597

598

599

600

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

601

602

603

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

(Z) ~~"To use gross receipts for a charitable~~ Charitable purpose" means that the proceeds net profit of the bingo game ~~are,~~

As Reported by the Senate Judiciary--Civil Justice Committee

other than instant bingo, is used by, or is given, donated, or 635
 otherwise transferred to, any of the following: 636

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

698
699
700

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

701
702

(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.

703
704
705
706

(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.

707
708
709
710
711
712
713

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

714
715
716
717
718
719
720
721
722

(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

723
724
725
726
727
728

As Reported by the Senate Judiciary--Civil Justice Committee

not include any device that is activated by the insertion of a 729
coin, currency, token, or an equivalent, and that contains as one 730
of its components a video display monitor that is capable of 731
displaying numbers, letters, symbols, or characters in winning or 732
losing combinations. 733

(GG) "Seal card" means a form of instant bingo that uses 734
instant bingo tickets in conjunction with a board or placard that 735
contains one or more seals that, when removed or opened, reveal 736
predesignated winning numbers, letters, or symbols. 737

(HH) "Raffle" means a form of bingo in which the one or more 738
prizes are won by one or more persons who have purchased a raffle 739
ticket. The one or more winners of the raffle are determined by 740
drawing a ticket stub or other detachable section from a 741
receptacle containing ticket stubs or detachable sections 742
corresponding to all tickets sold for the raffle. 743

(II) "Punch board" means a board containing a number of holes 744
or receptacles of uniform size in which are placed, mechanically 745
and randomly, serially numbered slips of paper that may be punched 746
or drawn from the hole or receptacle when used in conjunction with 747
instant bingo. A player may punch or draw the numbered slips of 748
paper from the holes or receptacles and obtain the prize 749
established for the game if the number drawn corresponds to a 750
winning number or, if the punch board includes the use of a seal 751
card, a potential winning number. 752

(JJ) "Gross profit" means gross receipts minus the amount 753
actually expended for the payment of prize awards. 754

(KK) "Net profit" means gross profit minus expenses. 755

(LL) "Expenses" means the reasonable amount of gross profit 756
actually expended for all of the following: 757

(1) The purchase or lease of bingo supplies; 758

<u>(2) The annual license fee required under section 2915.08 of the Revised Code;</u>	759 760
<u>(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;</u>	761 762
<u>(4) Audits and accounting services;</u>	763
<u>(5) Safes;</u>	764
<u>(6) Cash registers;</u>	765
<u>(7) Hiring security personnel;</u>	766
<u>(8) Advertising bingo;</u>	767
<u>(9) Renting premises in which to conduct bingo;</u>	768
<u>(10) Tables and chairs;</u>	769
<u>(11) Any other product or service directly related to the conduct of bingo that is authorized in rules adopted by the attorney general under division (B)(1) of section 2915.08 of the Revised Code.</u>	770 771 772 773
<u>(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.</u>	774 775 776
<u>(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.</u>	777 778 779 780
<u>(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.</u>	781 782 783 784
<u>(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</u>	785 786 787

for use in this state. 788

(QQ) "Manufacturer" means any person who assembles completed bingo supplies from raw materials, other items, or subparts or who modifies, converts, adds to, or removes parts from bingo supplies to further their promotion or sale. 789
790
791
792

(RR) "Gross annual revenues" means the annual gross receipts derived from the conduct of bingo described in division (S)(1) of this section plus the annual net profit derived from the conduct of bingo described in division (S)(2) of this section. 793
794
795
796

(SS) "Instant bingo ticket dispenser" means a mechanical device that dispenses an instant bingo ticket or card as the sole item of value dispensed and that has the following characteristics: 797
798
799
800

(1) It is activated upon the insertion of United States currency. 801
802

(2) It performs no gaming functions. 803

(3) It does not contain a video display monitor or generate noise. 804
805

(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations. 806
807

(5) It does not simulate or display rolling or spinning reels. 808
809

(6) It is incapable of determining whether a dispensed bingo ticket or card is a winning or nonwinning ticket or card and requires a winning ticket or card to be paid by a bingo game operator. 810
811
812
813

(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses. 814
815

(8) It is not part of an electronic network and is not 816

interactive. 817

(TT)(1) "Electronic bingo aid" means an electronic device 818
used by a participant to monitor bingo cards or sheets purchased 819
at the time and place of a bingo session and that does all of the 820
following: 821

(a) It provides a means for a participant to input numbers 822
and letters announced by a bingo caller. 823

(b) It compares the numbers and letters entered by the 824
participant to the bingo faces previously stored in the memory of 825
the device. 826

(c) It identifies a winning bingo pattern. 827

(2) "Electronic bingo aid" does not include any device into 828
which a coin, currency, token, or an equivalent is inserted to 829
activate play. 830

(UU) "Deal of instant bingo tickets" means a single game of 831
instant bingo tickets all with the same serial number. 832

(VV) "Slot machine means either of the following: 833

(1) Any mechanical, electronic, video, or digital device that 834
is capable of accepting anything of value, directly or indirectly, 835
from or on behalf of a player who gives the thing of value in the 836
hope of gain, the outcome of which is determined largely or wholly 837
by chance; 838

(2) Any mechanical, electronic, video, or digital device that 839
is capable of accepting anything of value, directly or indirectly, 840
from or on behalf of a player to conduct or dispense bingo or a 841
scheme or game of chance. 842

(WW) "Net profit from the proceeds of the sale of instant 843
bingo" means gross profit minus the ordinary, necessary, and 844
reasonable expense expended for the purchase of instant bingo 845
supplies. 846

Sec. 2915.02. (A) No person shall do any of the following:	847
(1) Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;	848 849
(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> ;	850 851 852
(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> ;	853 854 855 856 857 858
(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;	859 860 861
(5) With purpose to violate division (A)(1), (2), (3), or (4) of this section, acquire, possess, control, or operate any gambling device.	862 863 864
(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> .	865 866 867 868 869 870 871 872 873 874
(C) This section does not prohibit conduct in connection with gambling expressly permitted by law.	875 876

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

conduct designed to corrupt the outcome of any of the following:	1001
(1) The subject of a bet;	1002
(2) A contest of knowledge, skill, or endurance that is not an athletic or sporting event;	1003 1004
(3) A scheme or game of chance;	1005
<u>(4) Bingo.</u>	1006
(B) No person shall knowingly do any of the following:	1007
(1) Offer, give, solicit, or accept anything of value to corrupt the outcome of an athletic or sporting event;	1008 1009
(2) Engage in conduct designed to corrupt the outcome of an athletic or sporting event.	1010 1011
(C)(1) Whoever violates division (A) of this section is guilty of cheating 7 . <u>Except as otherwise provided in this</u> <u>division, cheating is</u> a misdemeanor of the first degree. If the potential gain from the cheating is five hundred dollars or more or if the offender previously has been convicted of any gambling offense or of any theft offense, as defined in section 2913.01 of the Revised Code, cheating is a felony of the fifth degree.	1012 1013 1014 1015 1016 1017 1018
(2) Whoever violates division (B) of this section is guilty of corrupting sports. Corrupting sports is a felony of the fifth degree on a first offense and a felony of the fourth degree on each subsequent offense.	1019 1020 1021 1022
Sec. 2915.07. (A) No person, except a charitable organization that has obtained a bingo license pursuant to section 2915.08 of the Revised Code, shall conduct or advertise a bingo game . <u>This</u> <u>division does not apply to a raffle that a charitable organization</u> <u>conducts or advertises.</u>	1023 1024 1025 1026 1027
(B) Whoever violates this section is guilty of conducting an	1028

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

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

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

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

(1) The issuance of the license; 1232

(2) The issuance of the amended license; 1233

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

(B) The attorney general may issue a distributor license to 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. 1309
1310
1311
1312
1313
1314
1315

(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: 1316
1317
1318
1319
1320

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

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

(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. 1326
1327
1328
1329
1330
1331
1332

(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. 1333
1334
1335
1336

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

another state, or the United States. 1432

(D)(1) No manufacturer shall sell, offer to sell, or 1433
otherwise provide or offer to provide bingo supplies to any person 1434
for use in this state except to a distributor that has been issued 1435
a license under section 2915.081 of the Revised Code. No 1436
manufacturer shall accept payment for the sale of bingo supplies 1437
other than by check. 1438

(2) No manufacturer shall knowingly solicit, offer, pay, or 1439
receive any kickback, bribe, or undocumented rebate, directly or 1440
indirectly, overtly or covertly, in cash or in kind, in return for 1441
providing bingo supplies to any person in this state. 1442

(E) The attorney general may suspend or revoke a manufacturer 1443
license for any of the reasons for which the attorney general may 1444
refuse to issue a manufacturer license specified in division (C) 1445
of this section or if the manufacturer holding the license 1446
violates any provision of this chapter or any rule adopted by the 1447
attorney general under this chapter. 1448

(F) Whoever violates division (A) or (D) of this section is 1449
guilty of illegally operating as a manufacturer. Except as 1450
otherwise provided in this division, illegally operating as a 1451
manufacturer is a misdemeanor of the first degree. If the offender 1452
previously has been convicted of a violation of division (A) or 1453
(D) of this section, illegally operating as a manufacturer is a 1454
felony of the fifth degree. 1455

Sec. 2915.09. (A) ~~A~~ No charitable organization that conducts 1456
~~a bingo game~~ shall fail to do all any of the following: 1457

(1) Own all of the equipment used to conduct ~~the~~ bingo ~~game~~ 1458
or lease that equipment from a charitable organization that is 1459
licensed to conduct ~~a~~ bingo ~~game~~ for a rental rate that is not 1460
more than is customary and reasonable for that equipment; 1461

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

(4) ~~Conduct~~ Except as otherwise provided in division (C)(4) 1548
of this section, conduct more than two bingo sessions in any 1549
seven-day period. ~~Except that a~~ A volunteer fire ~~fighter's~~ 1550
firefighter's organization or a volunteer rescue service 1551
organization that conducts not more than five bingo sessions in a 1552
calendar year may conduct more than two bingo sessions in a 1553
seven-day period after notifying the attorney general when it will 1554
conduct the sessions~~7.~~ 1555

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

~~(C)~~ (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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

- the organization to pay compensation to any bingo game operator 1713
who prepares, sells, or serves food or beverages at an instant 1714
bingo game conducted by the organization, or permit any auxiliary 1715
unit or society of the organization to prepare, sell, or serve 1716
food or beverages at an instant bingo game conducted by the 1717
organization, if the auxiliary unit or society pays any 1718
compensation to the bingo game operators who prepare, sell, or 1719
serve the food or beverages; 1720
- (11) Pay fees to any person for any services performed in 1721
relation to an instant bingo game; 1722
- (12) Pay fees to any person who provides refreshments to the 1723
participants in an instant bingo game; 1724
- (13) Allow instant bingo tickets or cards to be sold to bingo 1725
game operators who are performing work or labor at a premises at 1726
which the organization sells instant bingo tickets or cards or to 1727
be sold to employees of a D permit holder who are working at a 1728
premises at which instant bingo tickets or cards are sold on 1729
behalf of the organization as described in division (B) of section 1730
4301.03 of the Revised Code; 1731
- (14) Fail to display its bingo license, and the serial 1732
numbers of the deal of instant bingo tickets or cards to be sold, 1733
conspicuously at each premises at which it sells instant bingo 1734
tickets or cards; 1735
- (15) Possess a deal of instant bingo tickets or cards that 1736
was not purchased from a distributor licensed under section 1737
2915.081 of the Revised Code as reflected on an invoice issued by 1738
the distributor that contains all of the information required by 1739
division (E) of section 2915.10 of the Revised Code; 1740
- (16) Fail, once it opens a deal of instant bingo tickets or 1741
cards, to continue to sell the tickets or cards in that deal until 1742
the tickets or cards with the top two highest tiers of prizes in 1743

that deal are sold; 1744

(17) Purchase, lease, or use instant bingo ticket dispensers 1745
to sell instant bingo tickets or cards. 1746

(B) A charitable organization may conduct instant bingo other 1747
than at a bingo session at not more than five separate locations. 1748
A charitable organization that is exempt from federal taxation 1749
under subsection 501(a) and described in subsection 501(c)(3) of 1750
the Internal Revenue Code and that is created by a veteran's 1751
organization or a fraternal organization is not limited in the 1752
number of separate locations the charitable organization may 1753
conduct instant bingo other than at a bingo session. 1754

(C) The attorney general may adopt rules in accordance with 1755
Chapter 119. of the Revised Code that govern the conduct of 1756
instant bingo by charitable organizations. Before those rules are 1757
adopted, the attorney general shall reference the recommended 1758
standards for opacity, randomization, minimum information, winner 1759
protection, color, and cutting for instant bingo tickets or cards, 1760
seal cards, and punch boards established by the North American 1761
gaming regulators association. 1762

(D) Whoever violates division (A) of this section or a rule 1763
adopted under division (B) of this section is guilty of illegal 1764
instant bingo conduct. Except as otherwise provided in this 1765
division, illegal instant bingo conduct is a misdemeanor of the 1766
first degree. If the offender previously has been convicted of a 1767
violation of division (A) of this section or of such a rule, 1768
illegal instant bingo conduct is a felony of the fifth degree. 1769

Sec. 2915.092. (A) A charitable organization does not need a 1770
license to conduct bingo, in order to conduct a raffle drawing. 1771

(B)(1) No charitable organization shall conduct a raffle 1772
unless the organization is, and has received from the internal 1773

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As Reported by the Senate Judiciary--Civil Justice Committee

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

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

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

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

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

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

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

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

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

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

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

(2) A description that clearly identifies the bingo supplies; 1875

(3) Invoices that include all instant bingo deals sold or otherwise provided to each distributor. 1876
1877

(G) The attorney general, or any local law enforcement agency, may do all of the following: 1878
1879

(1) Investigate any charitable organization or any officer, agent, trustee, member, or employee of the organization; 1880
1881

(2) Examine the accounts and records of the organization; 1882

(3) Conduct inspections, audits, and observations of bingo ~~games or schemes~~ or games of chance ~~while they are in session;~~ 1883
1884

(4) Conduct inspections of the premises where bingo ~~games or schemes~~ or games of chance are ~~operated~~ conducted; 1885
1886

(5) Take any other necessary and reasonable action to determine if a violation of any provision of sections 2915.01, ~~2915.02, and 2915.07~~ to ~~2915.12~~ 2915.13 of the Revised Code has occurred and to determine whether section 2915.11 of the Revised Code has been complied with. 1887
1888
1889
1890
1891

If any local law enforcement agency has reasonable grounds to believe that a charitable organization or an officer, agent, trustee, member, or employee of the organization has violated any 1892
1893
1894

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

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

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

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

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

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

(b) Twenty per cent may be distributed for the organization's

1895
1896
1897
1898
1899
1900
1901
1902
1903
1904
1905
1906
1907
1908
1909
1910
1911
1912
1913
1914
1915
1916
1917
1918
1919
1920
1921
1922
1923
1924

own charitable purposes. 1925

(c) Thirty per cent may be deducted and retained by the organization for the organization's expenses in conducting the instant bingo game. 1926
1927
1928

(2) If a veteran's organization or a fraternal organization does not distribute the full percentages specified in divisions (A)(1)(b) and (c) of this section for the purposes specified in those divisions, the organization shall distribute the balance of the net profit not distributed or retained for those purposes to an organization described in division (Z)(1) of section 2915.01 of the Revised Code. 1929
1930
1931
1932
1933
1934
1935

(3) A veteran's organization or a fraternal organization is not required to itemize the organization's expenses. 1936
1937

(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: 1938
1939
1940
1941

(a) A minimum of seventy per cent shall be distributed to an organization described in division (Z)(1) of section 2915.01 of the Revised Code or to a department or agency of the federal government, the state, or any political subdivision. 1942
1943
1944
1945

(b) Thirty per cent may be deducted and retained by the organization for the organization's expenses in conducting the instant bingo game. 1946
1947
1948

(2) If a charitable organization does not retain the full percentage specified in division (B)(1)(b) of this section for the purposes specified in that division, the organization shall distribute the balance of the net profit not retained for that purpose to an organization described in division (Z)(1) of section 2915.01 of the Revised Code. 1949
1950
1951
1952
1953
1954

(3) A charitable organization other than a veteran's organization or fraternal organization is not required to itemize the charitable organization's expenses. 1955
1956
1957

Sec. 2915.12. (A) Sections 2915.07 to 2915.11 of the Revised Code do not apply to bingo games that are conducted for the purpose of amusement only. A bingo game is conducted for the purpose of amusement only if it complies with all of the requirements specified in either division (A)(1) or ~~(B)(2)~~ of this section: 1958
1959
1960
1961
1962
1963

~~(A)(1)(a)~~ The participants do not pay any money or any other thing of value including an admission fee, or any fee for bingo cards, or sheets, objects to cover the spaces, or other devices used in playing bingo, for the privilege of participating in the bingo game, or to defray any costs of the game, or pay tips or make donations during or immediately before or after the bingo game. 1964
1965
1966
1967
1968
1969
1970

~~(2)(b)~~ All prizes awarded during the course of the game are nonmonetary, and in the form of merchandise, goods, or entitlements to goods or services only, and the total value of all prizes awarded during the game is less than one hundred dollars. 1971
1972
1973
1974

~~(3)(c)~~ No commission, wages, salary, reward, tip, donation, gratuity, or other form of compensation, either directly or indirectly, and regardless of the source, is paid to any bingo game operator for work or labor performed at the site of the bingo game. 1975
1976
1977
1978
1979

~~(4)(d)~~ The bingo game is not conducted either during or within ten hours of any of the following: 1980
1981

~~(a)(i)~~ A bingo session during which a charitable bingo game is conducted pursuant to sections 2915.07 to 2915.11 of the Revised Code; 1982
1983
1984

(b)(ii) A scheme or game of chance other than a bingo game	1985
conducted pursuant to this section, or bingo described in division	1986
(S)(2) of section 2915.01 of the Revised Code.	1987
(5)(e) The number of players participating in the bingo game	1988
does not exceed fifty.	1989
(B)(1)(2)(a) The participants do not pay money or any other	1990
thing of value as an admission fee, and no participant is charged	1991
more than twenty-five cents to purchase a bingo card, <u>or</u> sheet,	1992
objects to cover the spaces, or other devices used in playing	1993
bingo + .	1994
(2)(b) The total amount of money paid by all of the	1995
participants for bingo cards, <u>or</u> sheets, objects to cover the	1996
spaces, or other devices used in playing bingo does not exceed one	1997
hundred dollars + .	1998
(3)(c) All of the money paid for bingo cards, <u>or</u> sheets,	1999
objects to cover spaces, or other devices used in playing bingo	2000
are <u>is</u> used only to pay winners monetary and nonmonetary prizes	2001
and to provide refreshments + .	2002
(4)(d) The total value of all prizes awarded during the game	2003
does not exceed one hundred dollars + .	2004
(5)(e) No commission, wages, salary, reward, tip, donation,	2005
gratuity, or other form of compensation, either directly or	2006
indirectly, and regardless of the source, is paid to any bingo	2007
game operator for work or labor performed at the site of the bingo	2008
game + .	2009
(6)(f) The bingo game is not conducted during or within ten	2010
hours of either of the following:	2011
(a)(i) A bingo session during which a charitable bingo game	2012
is conducted pursuant to sections 2915.07 to 2915.11 of the	2013
Revised Code;	2014

~~(b)(ii)~~ A scheme of chance or game of chance ~~other than a~~ 2015
~~bingo game conducted pursuant to this section, or bingo described~~ 2016
~~in division (S)(2) of section 2915.01 of the Revised Code.~~ 2017

~~(7)(g)~~ All of the participants reside at the premises where 2018
the bingo game is conducted~~7.~~ 2019

~~(8)(h)~~ The bingo games are conducted on different days of the 2020
week and not more than twice in a calendar week. 2021

~~(C)(B)~~ The attorney general~~7~~, or any local law enforcement 2022
agency~~7~~, may investigate the conduct of a bingo game that 2023
purportedly is conducted for purposes of amusement only if there 2024
is reason to believe that the purported amusement bingo game does 2025
not comply with the requirements of either division (A)~~(1)~~ or 2026
~~(B)(2)~~ of this section. A local law enforcement agency may proceed 2027
by action in the proper court to enforce this section if the local 2028
law enforcement agency gives written notice to the attorney 2029
general when commencing the action. 2030

Sec. 2915.13. (A) A veteran's organization or a fraternal 2031
organization authorized to conduct a bingo session pursuant to 2032
sections 2915.01 to 2915.12 of the Revised Code may conduct 2033
instant bingo other than at a bingo session if both of the 2034
following apply: 2035

(1) The veteran's organization or fraternal organization 2036
limits the sale of instant bingo to ten consecutive hours per day 2037
for up to six days per week. 2038

(2) The veteran's organization or fraternal organization 2039
limits the sale of instant bingo to its own premises and to its 2040
own members and invited guests. 2041

(B) If a veteran's organization or fraternal organization 2042
authorized to conduct instant bingo pursuant to division (A) of 2043
this section is raising money for another charitable organization, 2044

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

2045
2046
2047
2048
2049

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

2050
2051
2052
2053
2054
2055
2056

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

2057
2058
2059
2060
2061
2062
2063
2064

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

2065
2066
2067
2068
2069

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

2070
2071
2072
2073
2074

immediately prior to April 17, 1963, shall remain in full force 2075
and effect as rules of the liquor control commission until and 2076
unless amended or repealed by the liquor control commission. The 2077
rules of the commission may include the following: 2078

(A) Rules with reference to applications for and the issuance 2079
of permits for the manufacture, distribution, transportation, and 2080
sale of beer and intoxicating liquor, and the sale of alcohol; and 2081
rules governing the procedure of the division of liquor control in 2082
the suspension, revocation, and cancellation of those permits; 2083
2084

(B) Rules and orders providing in detail for the conduct of 2085
any retail business authorized under permits issued pursuant to 2086
this chapter and Chapter 4303. of the Revised Code, with a view to 2087
ensuring compliance with those chapters and laws relative to them, 2088
and the maintenance of public decency, sobriety, and good order in 2089
any place licensed under the permits. No rule or order shall 2090
prohibit the sale of lottery tickets issued pursuant to Chapter 2091
3770. of the Revised Code by any retail business authorized under 2092
permits issued pursuant to that chapter. 2093

No rule or order shall prohibit pari-mutuel wagering on 2094
simulcast horse races at a satellite facility that has been issued 2095
a D liquor permit under Chapter 4303. of the Revised Code. No rule 2096
or order shall prohibit a charitable veteran's organization or a 2097
fraternal organization that holds a ~~D-4~~ liquor permit, as defined 2098
in Chapters 4301. and 4303. of the Revised Code, from selling or 2099
serving beer or intoxicating liquor under its permit in a portion 2100
of its premises merely because that portion of its premises is 2101
used at other times for the conduct of a ~~charitable bingo game~~ 2102
session or instant bingo other than at a bingo session. However, 2103
~~such an organization shall not sell or serve beer or intoxicating~~ 2104
~~liquor or permit beer or intoxicating liquor to be consumed or~~ 2105
~~seen in the same location in its premises where a charitable bingo~~ 2106

As Reported by the Senate Judiciary--Civil Justice Committee

~~game is being conducted while the game is being conducted. As used~~ 2107
~~in this division, "charitable organization" has the same meaning~~ 2108
~~as in division (H) of section 2915.01 of the Revised Code, and~~ 2109
~~"charitable bingo game session" and "instant bingo" has have the~~ 2110
~~same meaning meanings as in division (R) of that section 2915.01~~ 2111
~~of the Revised Code. No rule or order pertaining to visibility~~ 2112
~~into the premises of a permit holder after the legal hours of sale~~ 2113
~~shall be adopted or maintained by the commission.~~ 2114

2115

(C) Standards, not in conflict with those prescribed by any 2116
law of this state or the United States, to secure the use of 2117
proper ingredients and methods in the manufacture of beer, mixed 2118
beverages, and wine to be sold within this state; 2119

(D) Rules determining the nature, form, and capacity of all 2120
packages and bottles to be used for containing beer or 2121
intoxicating liquor except for spirituous liquor to be kept or 2122
sold, governing the form of all seals and labels to be used on 2123
those packages and bottles, and requiring the label on every 2124
package, bottle, and container to state the ingredients in the 2125
contents and, except on beer, the terms of weight, volume, or 2126
proof spirits, and whether the same is beer, wine, alcohol, or any 2127
intoxicating liquor except for spirituous liquor; 2128

(E) Uniform rules governing all advertising with reference to 2129
the sale of beer and intoxicating liquor throughout the state and 2130
advertising upon and in the premises licensed for the sale of beer 2131
or intoxicating liquor; 2132

(F) Rules restricting and placing conditions upon the 2133
transfer of permits; 2134

(G) Rules and orders limiting the number of permits of any 2135
class within the state or within any political subdivision of the 2136
state; and, for that purpose, adopting reasonable classifications 2137
of persons or establishments to which any authorized class of 2138

permits may be issued within any political subdivision; 2139

(H) Rules and orders with reference to sales of beer and 2140
intoxicating liquor on Sundays and holidays and with reference to 2141
the hours of the day during which and the persons to whom 2142
intoxicating liquor of any class may be sold, and rules with 2143
reference to the manner of sale; 2144

(I) Rules requiring permit holders buying beer to pay and 2145
permit holders selling beer to collect minimum cash deposits for 2146
kegs, cases, bottles, or other returnable containers of the beer; 2147
requiring the repayment, or credit, of the minimum cash deposit 2148
charges upon the return of the empty containers; and requiring the 2149
posting of such form of indemnity or such other conditions with 2150
respect to the charging, collection, and repayment of minimum cash 2151
deposit charges for returnable containers of beer as are necessary 2152
to ensure the return of the empty containers or the repayment upon 2153
that return of the minimum cash deposits paid; 2154

(J) Rules establishing the method by which alcohol products 2155
may be imported for sale by wholesale distributors and the method 2156
by which manufacturers and suppliers may sell alcohol products to 2157
wholesale distributors. 2158

(K) Rules governing the procedure of the division of liquor 2159
control in the suspension, revocation, and cancellation of permits 2160
issued to a veteran's organization or fraternal organization for a 2161
violation of any provision of sections 2915.01 to 2915.13 of the 2162
Revised Code. As used in this division "veteran's organization" 2163
and "fraternal organization" have the same meanings as in section 2164
2915.01 of the Revised Code. 2165

Every rule, standard, requirement, or order of the commission 2166
and every repeal, amendment, or rescission of them shall be posted 2167
for public inspection in the principal office of the commission 2168
and the principal office of the division of liquor control, and a 2169

certified copy of them shall be filed in the office of the 2170
secretary of state. An order applying only to persons named in it 2171
shall be served on the persons affected by personal delivery of a 2172
certified copy, or by mailing a certified copy to each person 2173
affected by it or, in the case of a corporation, to any officer or 2174
agent of the corporation upon whom a service of summons may be 2175
served in a civil action. The posting and filing required by this 2176
section constitutes sufficient notice to all persons affected by 2177
such rule or order which is not required to be served. General 2178
rules of the commission promulgated pursuant to this section shall 2179
be published in the manner the commission determines. 2180

2181

Sec. 4303.17. Permit D-4 may be issued to a club which has 2182
been in existence for three years or more prior to the issuance of 2183
~~such~~ the permit to sell beer and any intoxicating liquor to its 2184
members only, in glass or container, for consumption on the 2185
premises where sold. The fee for this permit is three hundred 2186
seventy-five dollars. No such permit shall be granted or retained 2187
until all elected officers of ~~such~~ the organization controlling 2188
~~such~~ the club have filed with the division of liquor control a 2189
statement certifying that ~~such~~ the club is operated in the 2190
interest of the membership of a reputable organization, which is 2191
maintained by a dues paying membership, setting forth the amount 2192
of initiation fee and yearly dues. All such matters shall be 2193
contained in a statement signed under oath and accompanied by a 2194
surety bond in the sum of one thousand dollars. ~~Such~~ The bond 2195
shall be declared forfeited in the full amount of the penal sum of 2196
the bond for any false statement contained in ~~such~~ the 2197
certificate, and the surety shall pay the amount of the bond to 2198
the division. The roster of membership of a D-4 permit holder 2199
shall be submitted under oath on the request of the superintendent 2200
of liquor control. Any information acquired by the superintendent 2201

or the division with respect to ~~such that~~ membership shall not be 2202
open to public inspection or examination and may be divulged by 2203
the superintendent and the division only in hearings before the 2204
liquor control commission or in a court action in which the 2205
division or the superintendent is named a party. 2206

The requirement that a club shall have been in existence for 2207
three years in order to qualify for a D-4 permit does not apply to 2208
units of organizations chartered by congress or to a subsidiary 2209
unit of a national fraternal organization if the parent 2210
organization has been in existence for three years or more at the 2211
time application for a permit is made by ~~such the~~ unit. 2212

No rule or order of the division or commission shall prohibit 2213
a charitable organization ~~that holds a D-4 permit from selling or~~ 2214
~~selling beer or intoxicating liquor under its permit in a portion~~ 2215
~~of its premises merely because that portion of its premises is~~ 2216
~~used at other times for the conduct of a charitable that is a~~ 2217
~~veteran's organization or a fraternal organization from conducting~~ 2218
~~bingo game as described in division (S)(2) of section 2915.01 of~~ 2219
~~the Revised Code on the premises of a D-4 or D-5 permit holder in~~ 2220
~~accordance with Chapter 2915. of the Revised Code and the~~ 2221
~~provisions of division (B) of section 4301.03 of the Revised Code.~~ 2222
~~However, such an organization shall not sell or serve beer or~~ 2223
~~intoxicating liquor or permit beer or intoxicating liquor to be~~ 2224
~~consumed or seen in the same location in its premises where a~~ 2225
~~charitable bingo game is being conducted while the game is being~~ 2226
~~conducted. As used in this section, "charitable organization" has~~ 2227
~~the same meaning as in division (H) of section 2915.01 and~~ 2228
~~"charitable bingo game" has have the same meaning meanings as in~~ 2229
~~division (R) of section 2915.01 of the Revised Code.~~ 2230

Section 2. That existing sections 109.32, 173.121, 1531.01, 2231
1711.09, 2915.01, 2915.02, 2915.04, 2915.05, 2915.07, 2915.08, 2232

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

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

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

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

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

against any distributor until one year after the effective date of 2262
this act if the distributor possesses an interest in any premises 2263
used for the conduct of bingo on the effective date of this act. 2264

Section 7. Division (A)(4) of section 2915.08 of the Revised 2265
Code shall not be applied until one year after the effective date 2266
of this act. 2267

Section 8. Section 2915.09 of the Revised Code is presented 2268
in this act as a composite of the section as amended by both Am. 2269
Sub. S.B. 70 and Am. Sub. S.B. 2 of the 121st General Assembly. 2270
The General Assembly, applying the principle stated in division 2271
(B) of section 1.52 of the Revised Code that amendments are to be 2272
harmonized if reasonably capable of simultaneous operation, finds 2273
that the composite is the resulting version of the section in 2274
effect prior to the effective date of the section as presented in 2275
this act. 2276