

As Introduced

125th General Assembly
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H. B. No. 325

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A B I L L

To amend sections 2915.01, 2915.02, 2915.03, 2915.07, 1
2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2
2915.092, 2915.10, 2915.101, and 2915.13 and to 3
enact section 2915.083 of the Revised Code 4
relative to the conduct of bingo, instant bingo at 5
a bingo session, and instant bingo other than at a 6
bingo session by a charitable organization, and to 7
other charitable gambling-related matters. 8

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

Section 1. That sections 2915.01, 2915.02, 2915.03, 2915.07, 9
2915.08, 2015.081, 2915.082, 2915.09, 2915.091, 2915.092, 2915.10, 10
2915.101, and 2915.13 be amended and section 2915.083 of the 11
Revised Code be enacted to read as follows: 12

Sec. 2915.01. As used in this chapter: 13

(A) "Bookmaking" means the business of receiving or paying
off bets. 14
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(B) "Bet" means the hazarding of anything of value upon the
result of an event, undertaking, or contingency, but does not
include a bona fide business risk. 16
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(C) "Scheme of chance" means a slot machine, lottery, numbers
game, pool conducted for profit, or other scheme in which a
participant gives a valuable consideration for a chance to win a
prize, but does not include bingo, a skill-based amusement
machine, or a pool not conducted for profit. 19
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(D) "Game of chance" means poker, craps, roulette, or other
game in which a player gives anything of value in the hope of
gain, the outcome of which is determined largely by chance, but
does not include bingo. 24
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(E) "Game of chance conducted for profit" means any game of
chance designed to produce income for the person who conducts or
operates the game of chance, but does not include bingo. 28
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(F) "Gambling device" means any of the following: 31

(1) A book, totalizer, or other equipment for recording bets; 32

(2) A ticket, token, or other device representing a chance,
share, or interest in a scheme of chance or evidencing a bet; 33
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(3) A deck of cards, dice, gaming table, roulette wheel, slot
machine, or other apparatus designed for use in connection with a
game of chance; 35
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(4) Any equipment, device, apparatus, or paraphernalia
specially designed for gambling purposes; 38
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(5) Bingo supplies sold or otherwise provided, or used, in
violation of this chapter. 40
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(G) "Gambling offense" means any of the following: 42

(1) A violation of section 2915.02, 2915.03, 2915.04, 43
2915.05, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 44
2915.092, 2915.10, or 2915.11 of the Revised Code; 45

(2) A violation of an existing or former municipal ordinance 46
or law of this or any other state or the United States 47
substantially equivalent to any section listed in division (G)(1) 48
of this section or a violation of section 2915.06 of the Revised 49
Code as it existed prior to July 1, 1996; 50

(3) An offense under an existing or former municipal 51
ordinance or law of this or any other state or the United States, 52
of which gambling is an element; 53

(4) A conspiracy or attempt to commit, or complicity in 54
committing, any offense under division (G)(1), (2), or (3) of this 55
section. 56

(H) ~~Except as otherwise provided in this chapter, "charitable~~ 57
"Charitable organization" means any tax exempt religious, 58
educational, veteran's, fraternal, sporting, service, nonprofit 59
medical, volunteer rescue service, volunteer firefighter's, senior 60
citizen's, historic railroad educational, youth athletic, amateur 61
athletic, or youth athletic park organization. An organization is 62
tax exempt if the organization is, and has received from the 63
internal revenue service a determination letter that currently is 64
in effect stating that the organization is, exempt from federal 65
income taxation under subsection 501(a) and described in 66
subsection 501(c)(3), ~~501(c)(4)~~, 501(c)(8), 501(c)(10), or 67
501(c)(19) of the Internal Revenue Code, if the organization is a 68
veteran's organization or a fraternal organization and is, and has 69
received from the internal revenue service a determination letter 70
that currently is in effect stating that the organization is, 71
exempt from federal income taxation under subsection 501(a) and 72
described in subsection 501(c)(4) of the Internal Revenue Code, or 73

if the organization is a sporting organization that is exempt from 74
federal income taxation under subsection 501(a) and is described 75
in subsection 501(c)(7) of the Internal Revenue Code. To qualify 76
as a charitable organization, an organization, except a volunteer 77
rescue service or volunteer fire fighter's organization, shall 78
have been in continuous existence as such in this state for a 79
period of two years immediately preceding either the making of an 80
application for a bingo license under section 2915.08 of the 81
Revised Code or the conducting of any game of chance as provided 82
in division (D) of section 2915.02 of the Revised Code. A 83
charitable organization that is exempt from federal income 84
taxation under subsection 501(a) and described in subsection 85
501(c)(3) of the Internal Revenue Code and that is created by a 86
veteran's organization, a fraternal organization, or a sporting 87
organization does not have to have been in continuous existence as 88
such in this state for a period of two years immediately preceding 89
either the making of an application for a bingo license under 90
section 2915.08 of the Revised Code or the conducting of any game 91
of chance as provided in division (D) of section 2915.02 of the 92
Revised Code. 93

(I) "Religious organization" means any church, body of 94
communicants, or group that is not organized or operated for 95
profit and that gathers in common membership for regular worship 96
and religious observances. 97

(J) "Educational organization" means any organization within 98
this state that is not organized for profit, the primary purpose 99
of which is to educate and develop the capabilities of individuals 100
through instruction by means of operating or contributing to the 101
support of a school, academy, college, or university. 102

(K) "Veteran's organization" means any individual post or 103
state headquarters of a national veteran's association, or ~~an~~ any 104
auxiliary unit of any individual post of a national veteran's 105

association, ~~which post, state headquarters, or auxiliary unit~~ 106
that has been in continuous existence in this state for at least 107
two years ~~and incorporated as a nonprofit corporation~~ immediately 108
preceding making an application for a bingo license and either has 109
received a letter from the state headquarters of the national 110
veteran's association indicating that the individual post or 111
auxiliary unit is in good standing with the national veteran's 112
association or has received a letter from the national veteran's 113
association indicating that the state headquarters is in good 114
standing with the national veteran's association. As used in this 115
division, "national veteran's association" means any veteran's 116
association that has been in continuous existence as such for a 117
period of at least five years and either is incorporated by an act 118
of the United States congress or has a national dues-paying 119
membership of at least five thousand persons. 120

(L) "Volunteer firefighter's organization" means any 121
organization of volunteer firefighters, as defined in section 122
146.01 of the Revised Code, that is organized and operated 123
exclusively to provide financial support for a volunteer fire 124
department or a volunteer fire company and that is recognized or 125
ratified by a county, municipal corporation, or township. 126

(M) "Fraternal organization" means any society, order, state 127
headquarters, or association within this state, except a college 128
or high school fraternity, that is not organized for profit, that 129
is a branch, lodge, or chapter of a national or state 130
organization, that exists exclusively for the common business or 131
sodality of its members, and that has been in continuous existence 132
in this state for a period of ~~five~~ two years. 133

(N) "Volunteer rescue service organization" means any 134
organization of volunteers organized to function as an emergency 135
medical service organization, as defined in section 4765.01 of the 136
Revised Code. 137

(O) "Service organization" means any organization, not 138
organized for profit, that is organized and operated exclusively 139
to provide, or to contribute to the support of organizations or 140
institutions organized and operated exclusively to provide, 141
medical and therapeutic services for persons who are crippled, 142
born with birth defects, or have any other mental or physical 143
defect or those organized and operated exclusively to protect, or 144
to contribute to the support of organizations or institutions 145
organized and operated exclusively to protect, animals from 146
inhumane treatment. 147

(P) "Nonprofit medical organization" means any organization 148
that has been incorporated as a nonprofit corporation for at least 149
five years and that has continuously operated and will be operated 150
exclusively to provide, or to contribute to the support of 151
organizations or institutions organized and operated exclusively 152
to provide, hospital, medical, research, or therapeutic services 153
for the public. 154

(Q) "Senior citizen's organization" means any private 155
organization, not organized for profit, that is organized and 156
operated exclusively to provide recreational or social services 157
for persons who are fifty-five years of age or older and that is 158
described and qualified under subsection 501(c)(3) of the Internal 159
Revenue Code. 160

(R) "Charitable bingo game" means any bingo game described in 161
division (S)(1) or (2) of this section that is conducted by a 162
charitable organization that has obtained a license pursuant to 163
section 2915.08 of the Revised Code and the proceeds of which are 164
used for a charitable purpose. 165

(S) "Bingo" means either of the following: 166

(1) A game with all of the following characteristics: 167

(a) The participants use bingo cards or sheets, including 168

paper formats and electronic representation or image formats, that 169
are divided into twenty-five spaces arranged in five horizontal 170
and five vertical rows of spaces, with each space, except the 171
central space, being designated by a combination of a letter and a 172
number and with the central space being designated as a free 173
space. 174

(b) The participants cover the spaces on the bingo cards or 175
sheets that correspond to combinations of letters and numbers that 176
are announced by a bingo game operator. 177

(c) A bingo game operator announces combinations of letters 178
and numbers that appear on objects that a bingo game operator 179
selects by chance, either manually or mechanically, from a 180
receptacle that contains seventy-five objects at the beginning of 181
each game, each object marked by a different combination of a 182
letter and a number that corresponds to one of the seventy-five 183
possible combinations of a letter and a number that can appear on 184
the bingo cards or sheets. 185

(d) The winner of the bingo game includes any participant who 186
properly announces during the interval between the announcements 187
of letters and numbers as described in division (S)(1)(c) of this 188
section, that a predetermined and preannounced pattern of spaces 189
has been covered on a bingo card or sheet being used by the 190
participant. 191

(2) Instant bingo, punch boards, and raffles. 192

(T) "Conduct" means to back, promote, organize, manage, carry 193
on, sponsor, or prepare for the operation of bingo or a game of 194
chance. 195

(U) "Bingo game operator" means any person, except security 196
personnel, who performs work or labor at the site of bingo, 197
including, but not limited to, collecting money from participants, 198
handing out bingo cards or sheets or objects to cover spaces on 199

bingo cards or sheets, selecting from a receptacle the objects 200
that contain the combination of letters and numbers that appear on 201
bingo cards or sheets, calling out the combinations of letters and 202
numbers, distributing prizes, selling or redeeming instant bingo 203
tickets or cards, supervising the operation of a punch board, 204
selling raffle tickets, selecting raffle tickets from a receptacle 205
and announcing the winning numbers in a raffle, and preparing, 206
selling, and serving food or beverages. 207

(V) "Participant" means any person who plays bingo. 208

(W) "Bingo session" means a period that includes both of the 209
following: 210

(1) Not to exceed five continuous hours for the conduct of 211
one or more games described in division (S)(1) of this section, 212
instant bingo, and seal cards; 213

(2) A period for the conduct of instant bingo and seal cards 214
for not more than two hours before and not more than two hours 215
after the period described in division (W)(1) of this section. 216

(X) "Gross receipts" means all money or assets, including 217
admission fees, that a person receives from bingo without the 218
deduction of any amounts for prizes paid out or for the expenses 219
of conducting bingo. "Gross receipts" does not include any money 220
directly taken in from the sale of food or beverages by a 221
charitable organization conducting bingo, or by a bona fide 222
auxiliary unit or society of a charitable organization conducting 223
bingo, provided all of the following apply: 224

(1) The auxiliary unit or society has been in existence as a 225
bona fide auxiliary unit or society of the charitable organization 226
for at least two years prior to conducting bingo. 227

(2) The person who purchases the food or beverage receives 228
nothing of value except the food or beverage and items customarily 229
received with the purchase of that food or beverage. 230

(3) The food and beverages are sold at customary and 231
reasonable prices. 232

(Y) "Security personnel" includes any person who either is a 233
sheriff, deputy sheriff, marshal, deputy marshal, township 234
constable, or member of an organized police department of a 235
municipal corporation or has successfully completed a peace 236
officer's training course pursuant to sections 109.71 to 109.79 of 237
the Revised Code and who is hired to provide security for the 238
premises on which bingo is conducted. 239

(Z) "Charitable purpose" means that the net profit of bingo, 240
other than instant bingo, is used by, or is given, donated, or 241
otherwise transferred to, any of the following: 242

(1) Any organization that is described in subsection 243
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 244
and is either a governmental unit or an organization that is tax 245
exempt under subsection 501(a) and described in subsection 246
501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the 247
Internal Revenue Code; 248

(2) A veteran's organization that is a post, chapter, or 249
organization of veterans, or an auxiliary unit or society of, or a 250
trust or foundation for, any such post, chapter, or organization 251
organized in the United States or any of its possessions, at least 252
seventy-five per cent of the members of which are veterans and 253
substantially all of the other members of which are individuals 254
who are spouses, widows, or widowers of veterans, or such 255
individuals, provided that no part of the net earnings of such 256
post, chapter, or organization inures to the benefit of any 257
private shareholder or individual, and further provided that the 258
net profit is used by the post, chapter, or organization for the 259
charitable purposes set forth in division (B)(12) of section 260
5739.02 of the Revised Code, is used for awarding scholarships to 261

or for attendance at an institution mentioned in division (B)(12) 262
of section 5739.02 of the Revised Code, is donated to a 263
governmental agency, or is used for nonprofit youth activities, 264
the purchase of United States or Ohio flags that are donated to 265
schools, youth groups, or other bona fide nonprofit organizations, 266
promotion of patriotism, or disaster relief; 267

(3) A fraternal organization that has been in continuous 268
existence in this state for fifteen years and that uses the net 269
profit exclusively for religious, charitable, scientific, 270
literary, or educational purposes, or for the prevention of 271
cruelty to children or animals, if contributions for such use 272
would qualify as a deductible charitable contribution under 273
subsection 170 of the Internal Revenue Code; 274

(4) A volunteer firefighter's organization that uses the net 275
profit for the purposes set forth in division (L) of this section. 276

(AA) "Internal Revenue Code" means the "Internal Revenue Code 277
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 278
amended. 279

(BB) "Youth athletic organization" means any organization, 280
not organized for profit, that is organized and operated 281
exclusively to provide financial support to, or to operate, 282
athletic activities for persons who are twenty-one years of age or 283
younger by means of sponsoring, organizing, operating, or 284
contributing to the support of an athletic team, club, league, or 285
association. 286

(CC) "Youth athletic park organization" means any 287
organization, not organized for profit, that satisfies both of the 288
following: 289

(1) It owns, operates, and maintains playing fields that 290
satisfy both of the following: 291

(a) The playing fields are used at least one hundred days per 292

year for athletic activities by one or more organizations, not 293
organized for profit, each of which is organized and operated 294
exclusively to provide financial support to, or to operate, 295
athletic activities for persons who are eighteen years of age or 296
younger by means of sponsoring, organizing, operating, or 297
contributing to the support of an athletic team, club, league, or 298
association. 299

(b) The playing fields are not used for any profit-making 300
activity at any time during the year. 301

(2) It uses the proceeds of bingo it conducts exclusively for 302
the operation, maintenance, and improvement of its playing fields 303
of the type described in division (CC)(1) of this section. 304

(DD) "Amateur athletic organization" means any organization, 305
not organized for profit, that is organized and operated 306
exclusively to provide financial support to, or to operate, 307
athletic activities for persons who are training for amateur 308
athletic competition that is sanctioned by a national governing 309
body as defined in the "Amateur Sports Act of 1978," 90 Stat. 310
3045, 36 U.S.C.A. 373. 311

(EE) "Bingo supplies" means bingo cards or sheets; instant 312
bingo tickets or cards; electronic bingo aids; raffle tickets; 313
punch boards; seal cards; instant bingo ticket dispensers; and 314
devices for selecting or displaying the combination of bingo 315
letters and numbers or raffle tickets. Items that are "bingo 316
supplies" are not gambling devices if sold or otherwise provided, 317
and used, in accordance with this chapter. For purposes of this 318
chapter, "bingo supplies" are not to be considered equipment used 319
to conduct a bingo game. 320

(FF) "Instant bingo" means a form of bingo that uses folded 321
or banded tickets or paper cards with perforated break-open tabs, 322
a face of which is covered or otherwise hidden from view to 323

conceal a number, letter, or symbol, or set of numbers, letters, 324
or symbols, some of which have been designated in advance as prize 325
winners. "Instant bingo" includes seal cards. "Instant bingo" does 326
not include any device that is activated by the insertion of a 327
coin, currency, token, or an equivalent, and that contains as one 328
of its components a video display monitor that is capable of 329
displaying numbers, letters, symbols, or characters in winning or 330
losing combinations. 331

(GG) "Seal card" means a form of instant bingo that uses 332
instant bingo tickets in conjunction with a board or placard that 333
contains one or more seals that, when removed or opened, reveal 334
predesignated winning numbers, letters, or symbols. 335

(HH) "Raffle" means a form of bingo in which the one or more 336
prizes are won by one or more persons who have purchased a raffle 337
ticket. The one or more winners of the raffle are determined by 338
drawing a ticket stub or other detachable section from a 339
receptacle containing ticket stubs or detachable sections 340
corresponding to all tickets sold for the raffle. 341

(II) "Punch board" means a board containing a number of holes 342
or receptacles of uniform size in which are placed, mechanically 343
and randomly, serially numbered slips of paper that may be punched 344
or drawn from the hole or receptacle when used in conjunction with 345
instant bingo. A player may punch or draw the numbered slips of 346
paper from the holes or receptacles and obtain the prize 347
established for the game if the number drawn corresponds to a 348
winning number or, if the punch board includes the use of a seal 349
card, a potential winning number. 350

(JJ) "Gross profit" means gross receipts minus the amount 351
actually expended for the payment of prize awards. 352

(KK) "Net profit" means gross profit minus expenses. 353

(LL) "Expenses" means the reasonable amount of gross profit 354

actually expended for all of the following:	355
(1) The purchase or lease of bingo supplies;	356
(2) The annual license fee required under section 2915.08 of the Revised Code;	357 358
(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;	359 360
(4) Audits and accounting services;	361
(5) Safes;	362
(6) Cash registers;	363
(7) Hiring security personnel;	364
(8) Advertising bingo;	365
(9) Renting premises in which to conduct a bingo session;	366
(10) Tables and chairs;	367
(11) Expenses for maintaining and operating a charitable organization's facilities, including, but not limited to, a post home, club house, lounge, tavern, or canteen and any grounds attached to the post home, club house, lounge, tavern, or canteen, <u>or any other expenses for operating the post home, club house, lounge, tavern, or canteen;</u>	368 369 370 371 372 373
(12) 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.	374 375 376 377
(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.	378 379 380
(NN) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or <u>2915.082, or 2915.083</u> of the Revised Code or	381 382 383

a charitable gaming license issued by another jurisdiction.	384
(OO) "Suspend" means to interrupt temporarily all rights and	385
privileges of the holder of a license issued under section	386
2915.08, 2915.081, or 2915.082, <u>or 2915.083</u> of the Revised Code or	387
a charitable gaming license issued by another jurisdiction.	388
(PP) "Distributor" means any person who purchases or obtains	389
bingo supplies and who sells, offers for sale, or otherwise	390
provides or offers to provide the bingo supplies to another person	391
for use in this state.	392
(QQ) "Manufacturer" means any person who assembles completed	393
bingo supplies from raw materials, other items, or subparts or who	394
modifies, converts, adds to, or removes parts from bingo supplies	395
to further their promotion or sale.	396
(RR) "Gross annual revenues" means the annual gross receipts	397
derived from the conduct of bingo described in division (S)(1) of	398
this section plus the annual net profit derived from the conduct	399
of bingo described in division (S)(2) of this section.	400
(SS) "Instant bingo ticket dispenser" means a mechanical	401
device that dispenses an instant bingo ticket or card as the sole	402
item of value dispensed and that has the following	403
characteristics:	404
(1) It is activated upon the insertion of United States	405
currency.	406
(2) It performs no gaming functions.	407
(3) It does not contain a video display monitor or generate	408
noise.	409
(4) It is not capable of displaying any numbers, letters,	410
symbols, or characters in winning or losing combinations.	411
(5) It does not simulate or display rolling or spinning	412
reels.	413

(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.

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

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

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

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

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

(c) It identifies a winning bingo pattern.

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

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

(VV)(1) "Slot" machine means either of the following:

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

(b) Any mechanical, electronic, video, or digital device that 443
is capable of accepting anything of value, directly or indirectly, 444
from or on behalf of a player to conduct or dispense bingo or a 445
scheme or game of chance. 446

(2) "Slot machine" does not include a skill-based amusement 447
machine. 448

(WW) "Net profit from the proceeds of the sale of instant 449
bingo" means gross profit minus the ordinary, necessary, and 450
reasonable expense expended for the purchase of instant bingo 451
supplies and any and all expenses as defined in division (LL) of 452
this section. 453

(XX) "Charitable instant bingo organization" means an 454
organization that is exempt from federal income taxation under 455
subsection 501(a) and described in subsection 501(c)(3), 456
501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 457
Revenue Code and is a charitable organization as defined in 458
division (H) of this section. A "charitable instant bingo 459
organization" does not include a charitable organization that is 460
exempt from federal income taxation under subsection 501(a) and 461
described in subsection 501(c)(3) of the Internal Revenue Code and 462
that is created by a veteran's organization, a fraternal 463
organization, or a sporting organization in regards to bingo 464
conducted or assisted by a veteran's organization, a fraternal 465
organization, or a sporting organization pursuant to section 466
2915.13 of the Revised Code. 467

(YY) "Game flare" means the board or placard that accompanies 468
each deal of instant bingo tickets and that has printed on or 469
affixed to it the following information for the game: 470

(1) The name of the game; 471

(2) The manufacturer's name or distinctive logo; 472

(3) The form number;	473
(4) The ticket count;	474
(5) The prize structure, including the number of winning instant bingo tickets by denomination and the respective winning symbol or number combinations for the winning instant bingo tickets;	475 476 477 478
(6) The cost per play;	479
(7) The serial number of the game.	480
(ZZ) "Historic railroad educational organization" means an organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code, that owns in fee simple the tracks and the right of way of a historic railroad that the organization restores or maintains and on which the organization provides excursions as part of a program to promote tourism and educate visitors regarding the role of railroad transportation in Ohio history, and that received as donations from a charitable organization that holds a license to conduct bingo under this chapter an amount equal to at least fifty per cent of that licensed charitable organization's net proceeds from the conduct of bingo during each of the five years preceding June 30, 2003. "Historic railroad" means all or a portion of the tracks and right_of_way of a railroad that was owned and operated by a for profit common carrier in this state at any time prior to January 1, 1950.	481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496
(AAA)(1) "Skill-based amusement machine" means a skill-based amusement device, such as a mechanical, electronic, video, or digital device, or machine, whether or not the skill-based amusement machine requires payment for use through a coin or bill validator or other payment of consideration or value to participate in the machine's offering or to activate the machine, provided that all of the following apply:	497 498 499 500 501 502 503

(a) The machine involves a task, game, play, contest, 504
competition, or tournament in which the player actively 505
participates in the task, game, play, contest, competition, or 506
tournament. 507

(b) The outcome of an individual's play and participation is 508
not determined largely or wholly by chance. 509

(c) The outcome of play during a game is not controlled by a 510
person not actively participating in the game. 511

(2) All of the following apply to any machine that is 512
operated as described in division (AAA)(1) of this section: 513

(a) As used in this section, "task," "game," and "play" mean 514
one event from the initial activation of the machine until the 515
results of play are determined without payment of additional 516
consideration. An individual utilizing a machine that involves a 517
single task, game, play, contest, competition, or tournament may 518
be awarded prizes based on the results of play. 519

(b) Advance play for a single task, game, play, contest, 520
competition, or tournament participation may be purchased. The 521
cost of the contest, competition, or tournament participation may 522
be greater than a single non-contest, competition, or tournament 523
play. 524

(c) To the extent that the machine is used in a contest, 525
competition, or tournament, that contest, competition, or 526
tournament has a defined starting and ending date and is open to 527
participants in competition for scoring and ranking results toward 528
the awarding of prizes that are stated prior to the start of the 529
contest, competition, or tournament. 530

(BBB) "Pool not conducted for profit" means a scheme in which 531
a participant gives a valuable consideration for a chance to win a 532
prize and the total amount of consideration wagered is distributed 533

to a participant or participants. 534

(CCC) "Sporting organization" means a hunting, fishing, or 535
trapping organization, other than a college or high school 536
fraternity or sorority, that is not organized for profit, that is 537
affiliated with a state or national sporting organization, 538
including but not limited to, the Ohio League of sportsmen, and 539
that has been in continuous existence in this state for a period 540
of ~~three~~ two years. 541

Sec. 2915.02. (A) No person shall do any of the following: 542

(1) Engage in bookmaking, or knowingly engage in conduct that 543
facilitates bookmaking; 544

(2) Establish, promote, or operate or knowingly engage in 545
conduct that facilitates any game of chance conducted for profit 546
or any scheme of chance; 547

(3) Knowingly procure, transmit, exchange, or engage in 548
conduct that facilitates the procurement, transmission, or 549
exchange of information for use in establishing odds or 550
determining winners in connection with bookmaking or with any game 551
of chance conducted for profit or any scheme of chance; 552

(4) Engage in betting or in playing any scheme or game of 553
chance as a substantial source of income or livelihood; 554

(5) With purpose to violate division (A)(1), (2), (3), or (4) 555
of this section, acquire, possess, control, or operate any 556
gambling device. 557

(B) For purposes of division (A)(1) of this section, a person 558
facilitates bookmaking if the person in any way knowingly aids an 559
illegal bookmaking operation, including, without limitation, 560
placing a bet with a person engaged in or facilitating illegal 561
bookmaking. For purposes of division (A)(2) of this section, a 562
person facilitates a game of chance conducted for profit or a 563

scheme of chance if the person in any way knowingly aids in the 564
conduct or operation of any such game or scheme, including, 565
without limitation, playing any such game or scheme. 566

(C) This section does not prohibit conduct in connection with 567
gambling expressly permitted by law. 568

(D) This section does not apply to any of the following: 569

(1) Games of chance, if all of the following apply: 570

(a) The games of chance are not craps for money or roulette 571
for money. 572

(b) The games of chance are conducted by a charitable 573
organization ~~that is, and has received from the internal revenue~~ 574
~~service a determination letter that is currently in effect,~~ 575
~~stating that the organization is, exempt from federal income~~ 576
~~taxation under subsection 501(a) and described in subsection~~ 577
~~501(c)(3) of the Internal Revenue Code as defined in division (H)~~ 578
of section 2915.01 of the Revised Code. 579

(c) The games of chance are conducted at festivals of the 580
charitable organization that are conducted either for a period of 581
four consecutive days or less and not more than twice a year or 582
for a period of five consecutive days not more than once a year, 583
and are conducted on premises owned by the charitable organization 584
for a period of no less than one year immediately preceding the 585
conducting of the games of chance, on premises leased from a 586
governmental unit, or on premises that are leased from a veteran's 587
or fraternal organization and that have been owned by the lessor 588
veteran's or fraternal organization for a period of no less than 589
one year immediately preceding the conducting of the games of 590
chance. 591

A charitable organization shall not lease premises from a 592
veteran's or fraternal organization to conduct a festival 593
described in division (D)(1)(c) of this section if the veteran's 594

or fraternal organization already has leased the premises ~~four~~ 595
twelve times during the immediately preceding ~~year~~ twelve months 596
to charitable organizations for that purpose. If a charitable 597
organization leases premises from a veteran's or fraternal 598
organization to conduct a festival described in division (D)(1)(c) 599
of this section, the charitable organization shall not pay a 600
rental rate for the premises per day of the festival that exceeds 601
the rental rate per bingo session that a charitable organization 602
may pay under division (B)(1) of section 2915.09 of the Revised 603
Code when it leases premises from another charitable organization 604
to conduct bingo games. 605

(d) All of the money or assets received from the games of 606
chance after deduction only of prizes paid out during the conduct 607
of the games of chance are used by, or given, donated, or 608
otherwise transferred to, any organization that is described in 609
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 610
Revenue Code and is either a governmental unit or an organization 611
that is tax exempt under subsection 501(a) and described in 612
subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 613
501(c)(19) of the Internal Revenue Code; 614

(e) The games of chance are not conducted during, or within 615
ten hours of, a bingo game conducted for amusement purposes only 616
pursuant to section 2915.12 of the Revised Code. 617

No person shall receive any commission, wage, salary, reward, 618
tip, donation, gratuity, or other form of compensation, directly 619
or indirectly, for operating or assisting in the operation of any 620
game of chance. 621

(2) Any tag fishing tournament operated under a permit issued 622
under section 1533.92 of the Revised Code, as "tag fishing 623
tournament" is defined in section 1531.01 of the Revised Code; 624

(3) Bingo conducted by a charitable organization that holds a 625

license issued under section 2915.08 or 2915.083 of the Revised Code; 626
627

(4) Instant bingo, if all of the following apply: 628

(a) The instant bingo is conducted by a charitable organization that holds a license issued under section 2915.08 of the Revised Code. 629
630
631

(b) The instant bingo is conducted at festivals of the charitable organization that are conducted either for a period of four consecutive days or less and not more than twice a year or for a period of five consecutive days not more than once a year, and are conducted on premises owned by the charitable organization for a period of no less than one year immediately preceding the conducting of the instant bingo, on premises leased from a governmental unit, or on premises that are leased from a veteran's or fraternal organization and that have been owned by the lessor veteran's or fraternal organization for a period of no less than one year immediately preceding the conducting of the instant bingo. 632
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(E) Division (D) of this section shall not be construed to authorize the sale, lease, or other temporary or permanent transfer of the right to conduct games of chance, as granted by that division, by any charitable organization that is granted that right. 644
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(F) Whoever violates this section is guilty of gambling^{7.} Except as otherwise provided in this division, gambling is a misdemeanor of the first degree. If the offender previously has been convicted of any gambling offense, except as otherwise provided in this division, gambling is a felony of the fifth degree. If the offender previously has been convicted of any gambling offense but the offender is a bartender who violated this section while working at a premises for which the division of 649
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liquor control has issued a permit under Chapter 4303. of the 657
Revised Code to a charitable organization, gambling is a 658
misdemeanor of the first degree. 659

Sec. 2915.03. (A) No person, being the owner or lessee, or 660
having custody, control, or supervision of premises, shall: 661

(1) Use or occupy such premises for gambling in violation of 662
section 2915.02 of the Revised Code; 663

(2) Recklessly permit such premises to be used or occupied 664
for gambling in violation of section 2915.02 of the Revised Code. 665

(B) Whoever violates this section is guilty of operating a 666
gambling house⁷. Except as otherwise provided in this division, 667
operating a gambling house is a misdemeanor of the first degree. 668
If the offender previously has been convicted of a gambling 669
offense, except as otherwise provided in this division, operating 670
a gambling house is a felony of the fifth degree. If the offender 671
previously has been convicted of any gambling offense but the 672
offender is a bartender who violated this section while working at 673
a premises for which the division of liquor control has issued a 674
permit under Chapter 4303. of the Revised Code to a charitable 675
organization, operating a gambling house is a misdemeanor of the 676
first degree. 677

(C) Premises used or occupied in violation of this section 678
constitute a nuisance subject to abatement pursuant to sections 679
3767.01 to 3767.99 of the Revised Code. 680

Sec. 2915.07. (A) No person, except a charitable organization 681
that has obtained a license pursuant to section 2915.08 of the 682
Revised Code, shall conduct or advertise bingo. This division does 683
not apply to a raffle that a charitable organization conducts or 684
advertises. 685

(B) Whoever violates this section is guilty of conducting 686

illegal bingo⁷. Except as otherwise provided in this division, 687
conducting illegal bingo is a felony of the fourth degree. If the 688
offender is a veteran's organization, a fraternal organization, or 689
a sporting organization, or if the offender is a bartender who 690
violated this section while working at a premises for which the 691
division of liquor control has issued a permit under Chapter 4303. 692
of the Revised Code to a charitable organization, conducting 693
illegal bingo is a misdemeanor of the first degree. 694

Sec. 2915.08. (A)(1) Annually before the first day of 695
January, a charitable organization, as defined in division (H) of 696
section 2915.01 of the Revised Code, that desires to conduct 697
bingo, instant bingo at a bingo session, or instant bingo other 698
than at a bingo session shall make out, upon a form to be 699
furnished by the attorney general for that purpose, an application 700
for a license to conduct bingo, instant bingo at a bingo session, 701
or instant bingo other than at a bingo session and deliver that 702
application to the attorney general together with a license fee as 703
follows: 704

(a) Except as otherwise provided in this division, for a 705
license for the conduct of bingo, two hundred dollars; 706

(b) For a license for the conduct of instant bingo at a bingo 707
session or instant bingo other than at a bingo session for a 708
charitable organization that previously has not been licensed 709
under this chapter to conduct instant bingo at a bingo session or 710
instant bingo other than at a bingo session, a license fee of five 711
hundred dollars, and for any other charitable organization, a 712
license fee that is based upon the gross profits received by the 713
charitable organization from the operation of instant bingo at a 714
bingo session or instant bingo other than at a bingo session, 715
during the one-year period ending on the thirty-first day of 716
October of the year immediately preceding the year for which the 717

license is sought, and that is one of the following: 718

(i) Five hundred dollars, if the total is fifty thousand 719
dollars or less; 720

(ii) One thousand two hundred fifty dollars plus one-fourth 721
per cent of the gross profit, if the total is more than fifty 722
thousand dollars but less than two hundred fifty thousand one 723
dollars; 724

(iii) Two thousand two hundred fifty dollars plus one-half 725
per cent of the gross profit, if the total is more than two 726
hundred fifty thousand dollars but less than five hundred thousand 727
one dollars; 728

(iv) Three thousand five hundred dollars plus one per cent of 729
the gross profit, if the total is more than five hundred thousand 730
dollars but less than one million one dollars; 731

(v) Five thousand dollars plus one per cent of the gross 732
profit, if the total is one million one dollars or more; 733

(c) A reduced license fee established by the attorney general 734
pursuant to division (G) of this section. 735

(d) For a license to conduct bingo for a charitable 736
organization that prior to ~~the effective date of this amendment~~ 737
July 1, 2003, has not been licensed under this chapter to conduct 738
bingo, instant bingo at a bingo session, or instant bingo other 739
than at a bingo session, a license fee established by rule by the 740
attorney general in accordance with division (H) of this section. 741

(2) The application shall be in the form prescribed by the 742
attorney general, shall be signed and sworn to by the applicant, 743
and shall contain all of the following: 744

(a) The name and post-office address of the applicant; 745

(b) A statement that the applicant is a charitable 746
organization and that it has been in continuous existence as a 747

charitable organization in this state for two years immediately 748
preceding the making of the application or for five years in the 749
case of a ~~fraternal organization~~ or a nonprofit medical 750
organization; 751

(c) The location at which the organization will conduct 752
bingo, which location shall be within the county in which the 753
principal place of business of the applicant is located, the days 754
of the week and the times on each of those days when bingo will be 755
conducted, whether the organization owns, leases, or subleases the 756
premises, and a copy of the rental agreement if it leases or 757
subleases the premises; 758

(d) A statement of the applicant's previous history, record, 759
and association that is sufficient to establish that the applicant 760
is a charitable organization, and a copy of a determination letter 761
that is issued by the Internal Revenue Service and states that the 762
organization is tax exempt under subsection 501(a) and described 763
in subsection 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 764
501(c)(10), or 501(c)(19) of the Internal Revenue Code; 765

(e) A statement as to whether the applicant has ever had any 766
previous application refused, whether it previously has had a 767
license revoked or suspended, and the reason stated by the 768
attorney general for the refusal, revocation, or suspension; 769

(f) A statement of the charitable purposes for which the net 770
profit derived from bingo, other than instant bingo, will be used, 771
and a statement of how the net profit derived from instant bingo 772
will be distributed in accordance with section 2915.101 of the 773
Revised Code; 774

(g) A statement of the designated purpose for which the 775
charitable organization will use the net profit from the proceeds 776
of the sale of instant bingo that is to be maintained in a 777
separate account pursuant to section 2915.101 of the Revised Code; 778

(h) Other necessary and reasonable information that the attorney general may require by rule adopted pursuant to section 111.15 of the Revised Code;

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

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

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

applicant's playing fields were so used. 811

(3) The attorney general, within thirty days after receiving 812
a timely filed application from a charitable organization that has 813
been issued a license under this section that has not expired and 814
has not been revoked or suspended, shall send a temporary permit 815
to the applicant specifying the date on which the application was 816
filed with the attorney general and stating that, pursuant to 817
section 119.06 of the Revised Code, the applicant may continue to 818
conduct bingo until a new license is granted or, if the 819
application is rejected, until fifteen days after notice of the 820
rejection is mailed to the applicant. The temporary permit does 821
not affect the validity of the applicant's application and does 822
not grant any rights to the applicant except those rights 823
specifically granted in section 119.06 of the Revised Code. The 824
issuance of a temporary permit by the attorney general pursuant to 825
this division does not prohibit the attorney general from 826
rejecting the applicant's application because of acts that the 827
applicant committed, or actions that the applicant failed to take, 828
before or after the issuance of the temporary permit. 829

(4) Within thirty days after receiving an initial license 830
application from a charitable organization to conduct bingo, 831
instant bingo at a bingo session, or instant bingo other than at a 832
bingo session, the attorney general shall conduct a preliminary 833
review of the application and notify the applicant regarding any 834
deficiencies. Once an application is deemed complete, or beginning 835
on the thirtieth day after the application is filed, if the 836
attorney general failed to notify the applicant of any 837
deficiencies, the attorney general shall have an additional sixty 838
days to conduct an investigation and either grant or deny the 839
application based on findings established and communicated in 840
accordance with divisions (B) and (E) of this section. ~~As an~~ 841
~~option to granting or denying an initial license application, the~~ 842

The attorney general ~~may~~ shall grant a temporary license to an 843
applicant and request additional time to conduct the investigation 844
if the attorney general has cause to believe that additional time 845
is necessary to complete the investigation and has notified the 846
applicant in writing about the specific concerns raised during the 847
investigation. 848

(B)(1) The attorney general shall adopt rules to enforce 849
sections 2915.01, 2915.02, and 2915.07 to 2915.13 of the Revised 850
Code to ensure that bingo or instant bingo is conducted in 851
accordance with those sections and to maintain proper control over 852
the conduct of bingo or instant bingo. The rules, except rules 853
adopted pursuant to divisions (A)(2)~~(g)~~(h) and (G) of this 854
section, shall be adopted pursuant to Chapter 119. of the Revised 855
Code. The attorney general shall license charitable organizations 856
to conduct bingo, instant bingo at a bingo session, or instant 857
bingo other than at a bingo session in conformance with this 858
chapter and with the licensing provisions of Chapter 119. of the 859
Revised Code. 860

(2) The attorney general may refuse to grant a license to any 861
organization, or revoke or suspend the license of any 862
organization, that does any of the following or to which any of 863
the following applies: 864

(a) Fails or has failed at any time to meet any requirement 865
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 866
2915.11 of the Revised Code, or violates or has violated any 867
provision of sections 2915.02 or 2915.07 to 2915.13 of the Revised 868
Code or any rule adopted by the attorney general pursuant to this 869
section; 870

(b) Makes or has made an incorrect or false statement that is 871
material to the granting of the license in an application filed 872
pursuant to division (A) of this section; 873

(c) Submits or has submitted any incorrect or false 874
information relating to an application if the information is 875
material to the granting of the license; 876

(d) Maintains or has maintained any incorrect or false 877
information that is material to the granting of the license in the 878
records required to be kept pursuant to divisions (A) and (C) of 879
section 2915.10 of the Revised Code, if applicable; 880

(e) The attorney general has good cause to believe that the 881
organization will not conduct bingo, instant bingo at a bingo 882
session, or instant bingo other than at a bingo session in 883
accordance with sections 2915.07 to 2915.13 of the Revised Code or 884
with any rule adopted by the attorney general pursuant to this 885
section. 886

(3) For the purposes of division (B) of this section, any 887
action of an officer, trustee, agent, representative, or bingo 888
game operator of an organization is an action of the organization. 889

(C) The attorney general may grant licenses to charitable 890
organizations that are branches, lodges, or chapters of national 891
charitable organizations. 892

(D) The attorney general shall send notice in writing to the 893
prosecuting attorney and sheriff of the county in which the 894
organization will conduct bingo, instant bingo at a bingo session, 895
or instant bingo other than at a bingo session, as stated in its 896
application for a license or amended license, and to any other law 897
enforcement agency in that county that so requests, of all of the 898
following: 899

(1) The issuance of the license; 900

(2) The issuance of the amended license; 901

(3) The rejection of an application for and refusal to grant 902
a license; 903

(4) The revocation of any license previously issued; 904

(5) The suspension of any license previously issued. 905

(E) A license issued by the attorney general shall set forth 906
the information contained on the application of the charitable 907
organization that the attorney general determines is relevant, 908
including, but not limited to, the location at which the 909
organization will conduct bingo, instant bingo at a bingo session, 910
or instant bingo other than at a bingo session and the days of the 911
week and the times on each of those days when bingo will be 912
conducted. If the attorney general refuses to grant or revokes or 913
suspends a license, the attorney general shall notify the 914
applicant in writing and specifically identify the reason for the 915
refusal, revocation, or suspension in narrative form and, if 916
applicable, by identifying the section of the Revised Code 917
violated. The failure of the attorney general to give the written 918
notice of the reasons for the refusal, revocation, or suspension 919
or a mistake in the written notice does not affect the validity of 920
the attorney general's refusal to grant, or the revocation or 921
suspension of, a license. If the attorney general fails to give 922
the written notice or if there is a mistake in the written notice, 923
the applicant may bring an action to compel the attorney general 924
to comply with this division or to correct the mistake, but the 925
attorney general's order refusing to grant, or revoking or 926
suspending, a license shall not be enjoined during the pendency of 927
the action. 928

(F) A charitable organization that has been issued a license 929
pursuant to division (B) of this section but that cannot conduct 930
bingo or instant bingo at the location, or on the day of the week 931
or at the time, specified on the license due to circumstances that 932
make it impractical to do so may apply in writing, together with 933
an application fee of two hundred fifty dollars, to the attorney 934
general, at least thirty days prior to a change in location, day 935

of the week, or time, and request an amended license. The 936
application shall describe the causes making it impractical for 937
the organization to conduct bingo or instant bingo in conformity 938
with its license and shall indicate the location, days of the 939
week, and times on each of those days when it desires to conduct 940
bingo or instant bingo. Except as otherwise provided in this 941
division, the attorney general shall issue the amended license in 942
accordance with division (E) of this section, and the organization 943
shall surrender its original license to the attorney general. The 944
attorney general may refuse to grant an amended license according 945
to the terms of division (B) of this section. 946

(G) The attorney general, by rule adopted pursuant to section 947
111.15 of the Revised Code, shall establish a schedule of reduced 948
license fees for charitable organizations that desire to conduct 949
bingo or instant bingo during fewer than twenty-six weeks in any 950
calendar year. 951

(H) The attorney general, by rule adopted pursuant to section 952
111.15 of the Revised Code, shall establish license fees for the 953
conduct of bingo, instant bingo at a bingo session, or instant 954
bingo other than at a bingo session for charitable organizations 955
that prior to ~~the effective date of this amendment~~ July 1, 2003, 956
have not been licensed to conduct bingo, instant bingo at a bingo 957
session, or instant bingo other than at a bingo session under this 958
chapter. 959

(I) The attorney general may enter into a written contract 960
with any other state agency to delegate to that state agency the 961
powers prescribed to the attorney general under Chapter 2915. of 962
the Revised Code. 963

(J) The attorney general, by rule adopted pursuant to section 964
111.15 of the Revised Code, may adopt rules to determine the 965
requirements for a charitable organization that is exempt from 966
federal income taxation under subsection 501(a) and described in 967

subsection 501(c)(3) of the Internal Revenue Code to be in good 968
standing in the state. 969

Sec. 2915.081. (A) No distributor shall sell, offer to sell, 970
or otherwise provide or offer to provide bingo supplies to another 971
person for use in this state without having obtained a license 972
from the attorney general under this section. 973

(B) The attorney general may issue a distributor license to 974
any person that meets the requirements of this section. The 975
application for the license shall be on a form prescribed by the 976
attorney general and be accompanied by the annual fee prescribed 977
by this section. The license is valid for a period of one year, 978
and the annual fee for the license is ~~five~~ one thousand five 979
hundred dollars. 980

(C) The attorney general may refuse to issue a distributor 981
license to any person to which any of the following applies, or to 982
any person that has an officer, partner, or other person who has 983
an ownership interest of ten per cent or more and to whom any of 984
the following applies: 985

(1) The person, officer, or partner has been convicted of a 986
felony under the laws of this state, another state, or the United 987
States. 988

(2) The person, officer, or partner has been convicted of any 989
gambling offense. 990

(3) The person, officer, or partner has made an incorrect or 991
false statement that is material to the granting of a license in 992
an application submitted to the attorney general under this 993
section or in a similar application submitted to a gambling 994
licensing authority in another jurisdiction if the statement 995
resulted in license revocation through administrative action in 996
the other jurisdiction. 997

(4) The person, officer, or partner has submitted any 998
incorrect or false information relating to the application to the 999
attorney general under this section, if the information is 1000
material to the granting of the license. 1001

(5) The person, officer, or partner has failed to correct any 1002
incorrect or false information that is material to the granting of 1003
the license in the records required to be maintained under 1004
division (E) of section 2915.10 of the Revised Code. 1005

(6) The person, officer, or partner has had a license related 1006
to gambling revoked or suspended under the laws of this state, 1007
another state, or the United States. 1008

(D) The attorney general shall not issue a distributor 1009
license to any person that is involved in the conduct of bingo on 1010
behalf of a charitable organization or that is a lessor of 1011
premises used for the conduct of bingo. This division does not 1012
prohibit a distributor from advising charitable organizations on 1013
the use and benefit of specific bingo supplies or prohibit a 1014
distributor from advising a customer on operational methods to 1015
improve bingo profitability. 1016

(E)(1) No distributor shall sell, offer to sell, or otherwise 1017
provide or offer to provide bingo supplies to any person for use 1018
in this state except to a charitable organization that has been 1019
issued a license under section 2915.08 of the Revised Code or to 1020
another distributor that has been issued a license under this 1021
section. No distributor shall accept payment for the sale or other 1022
provision of bingo supplies other than by check. 1023

(2) No distributor may donate, give, loan, lease, or 1024
otherwise provide any bingo supplies or equipment to a charitable 1025
organization for use in a bingo session conditioned on or in 1026
consideration for an exclusive right to provide bingo supplies to 1027
the charitable organization. A distributor may provide a licensed 1028

charitable organization with free samples of the distributor's 1029
products to be used as prizes or to be used for the purpose of 1030
sampling. 1031

(3) No distributor shall purchase bingo supplies for use in 1032
this state from any person except from a manufacturer issued a 1033
license under section 2915.082 of the Revised Code or from another 1034
distributor issued a license under this section. Subject to 1035
division (D) of section 2915.082 of the Revised Code, no 1036
distributor shall pay for purchased bingo supplies other than by 1037
check. 1038

(4) No distributor shall participate in the conduct of bingo 1039
on behalf of a charitable organization or have any direct or 1040
indirect ownership interest in a premises used for the conduct of 1041
bingo. 1042

(5) No distributor shall knowingly solicit, offer, pay, or 1043
receive any kickback, bribe, or undocumented rebate, directly or 1044
indirectly, overtly or covertly, in cash or in kind, in return for 1045
providing bingo supplies to any person in this state. 1046

(F) The attorney general may suspend or revoke a distributor 1047
license for any of the reasons for which the attorney general may 1048
refuse to issue a distributor license specified in division (C) of 1049
this section or if the distributor holding the license violates 1050
any provision of this chapter or any rule adopted by the attorney 1051
general under this chapter. 1052

(G) Whoever violates division (A) or (E) of this section is 1053
guilty of illegally operating as a distributor. Except as 1054
otherwise provided in this division, illegally operating as a 1055
distributor is a misdemeanor of the first degree. If the offender 1056
previously has been convicted of a violation of division (A) or 1057
(E) of this section, illegally operating as a distributor is a 1058
felony of the fifth degree. 1059

Sec. 2915.082. (A) No manufacturer shall sell, offer to sell, 1060
or otherwise provide or offer to provide bingo supplies for use in 1061
this state without having obtained a license from the attorney 1062
general under this section. 1063

(B) The attorney general may issue a manufacturer license to 1064
any person that meets the requirements of this section. The 1065
application for the license shall be on a form prescribed by the 1066
attorney general and be accompanied by the annual fee prescribed 1067
by this section. The license is valid for a period of one year, 1068
and the annual fee for the license is ~~five~~ one thousand five 1069
hundred dollars. 1070

(C) The attorney general may refuse to issue a manufacturer 1071
license to any person to which any of the following applies, or to 1072
any person that has an officer, partner, or other person who has 1073
an ownership interest of ten per cent or more and to whom any of 1074
the following applies: 1075

(1) The person, officer, or partner has been convicted of a 1076
felony under the laws of this state, another state, or the United 1077
States. 1078

(2) The person, officer, or partner has been convicted of any 1079
gambling offense. 1080

(3) The person, officer, or partner has made an incorrect or 1081
false statement that is material to the granting of a license in 1082
an application submitted to the attorney general under this 1083
section or in a similar application submitted to a gambling 1084
licensing authority in another jurisdiction if the statement 1085
resulted in license revocation through administrative action in 1086
the other jurisdiction. 1087

(4) The person, officer, or partner has submitted any 1088
incorrect or false information relating to the application to the 1089

attorney general under this section, if the information is 1090
material to the granting of the license. 1091

(5) The person, officer, or partner has failed to correct any 1092
incorrect or false information that is material to the granting of 1093
the license in the records required to be maintained under 1094
division (F) of section 2915.10 of the Revised Code. 1095

(6) The person, officer, or partner has had a license related 1096
to gambling revoked or suspended under the laws of this state, 1097
another state, or the United States. 1098

(D)(1) No manufacturer shall sell, offer to sell, or 1099
otherwise provide or offer to provide bingo supplies to any person 1100
for use in this state except to a distributor that has been issued 1101
a license under section 2915.081 of the Revised Code. No 1102
manufacturer shall accept payment for the sale of bingo supplies 1103
other than by check. 1104

(2) No manufacturer shall knowingly solicit, offer, pay, or 1105
receive any kickback, bribe, or undocumented rebate, directly or 1106
indirectly, overtly or covertly, in cash or in kind, in return for 1107
providing bingo supplies to any person in this state. 1108

(E)(1) The attorney general may suspend or revoke a 1109
manufacturer license for any of the reasons for which the attorney 1110
general may refuse to issue a manufacturer license specified in 1111
division (C) of this section or if the manufacturer holding the 1112
license violates any provision of this chapter or any rule adopted 1113
by the attorney general under this chapter. 1114

(2) The attorney general may perform an onsite inspection of 1115
a manufacturer of bingo supplies that is selling, offering to 1116
sell, or otherwise providing or offering to provide bingo supplies 1117
or that is applying for a license to sell, offer to sell, or 1118
otherwise provide or offer to provide bingo supplies in this 1119
state. 1120

(F) Whoever violates division (A) or (D) of this section is 1121
guilty of illegally operating as a manufacturer. Except as 1122
otherwise provided in this division, illegally operating as a 1123
manufacturer is a misdemeanor of the first degree. If the offender 1124
previously has been convicted of a violation of division (A) or 1125
(D) of this section, illegally operating as a manufacturer is a 1126
felony of the fifth degree. 1127

Sec. 2915.083. (A) At least thirty business days before the 1128
event, a charitable organization that does not have a license to 1129
conduct bingo under section 2915.08 of the Revised Code and that 1130
desires to conduct bingo, instant bingo at a bingo session, or 1131
instant bingo other than at a bingo session at an event shall make 1132
out, upon a form to be furnished by the attorney general for that 1133
purpose, an application for a short-term license to conduct bingo, 1134
instant bingo at a bingo session, or instant bingo other than at a 1135
bingo session and deliver that application to the attorney general 1136
together with a license fee of two hundred fifty dollars. The 1137
short-term license shall be in effect for seventy-two hours from 1138
the time when the event begins. A charitable organization may 1139
apply for no more than two short-term licenses to conduct bingo, 1140
instant bingo at a bingo session, or instant bingo other than at a 1141
bingo session during a calendar year. 1142

(B)(1) The application shall be in the form prescribed by the 1143
attorney general, shall be signed and sworn to by the applicant, 1144
and shall contain the information described in divisions (B)(2)(a) 1145
to (f) of section 2915.08 of the Revised Code. 1146

(2) The charitable organization is not required to submit 1147
information on the application other than the information that is 1148
described in divisions (B)(2)(a) to (f) of section 2915.08 of the 1149
Revised Code. 1150

(C) Except as otherwise provided in division (D) of this 1151

section, the attorney general shall issue the short-term license 1152
to conduct bingo, instant bingo at a bingo session, or instant 1153
bingo other than at a bingo session to a charitable organization 1154
that timely submits an application under division (A) of this 1155
section within ten business days after receiving the application 1156
from the charitable organization. 1157

(D) The attorney general may refuse to grant a short-term 1158
license to conduct bingo, instant bingo at a bingo session, or 1159
instant bingo other than at a bingo session to any charitable 1160
organization, or revoke or suspend the short-term license of any 1161
charitable organization, that does any of the following or to 1162
which any of the following applies: 1163

(1) Fails or has failed at any time to meet any requirement 1164
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 1165
2915.11 of the Revised Code, or violates or has violated any 1166
provision of sections 2915.02 or 2915.07 to 2915.13 of the Revised 1167
Code or any rule adopted by the attorney general pursuant to this 1168
section; 1169

(2) Makes or has made an incorrect or false statement that is 1170
material to the granting of the short-term license to conduct 1171
bingo, instant bingo at a bingo session, or instant bingo other 1172
than at a bingo session in an application filed pursuant to 1173
division (A) of this section; 1174

(3) Submits or has submitted any incorrect or false 1175
information relating to an application if the information is 1176
material to the granting of the short-term license to conduct 1177
bingo, instant bingo at a bingo session, or instant bingo other 1178
than at a bingo session; 1179

(4) The attorney general has good cause to believe that the 1180
organization will not conduct bingo, instant bingo at a bingo 1181
session, or instant bingo other than at a bingo session in 1182

accordance with sections 2915.07 to 2915.13 of the Revised Code. 1183

(E) A short-term license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session issued by the attorney general shall set forth the information contained on the application of the charitable organization that the attorney general determines is relevant, including, but not limited to, the location at which the organization will conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session, and the dates and times on each of those dates when bingo will be conducted. If the attorney general refuses to grant or revokes or suspends a short-term license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session, the attorney general shall notify the applicant in writing and specifically identify the reason for the refusal, revocation, or suspension in narrative form and, if applicable, by identifying the section of the Revised Code violated. The failure of the attorney general to give the written notice of the reasons for the refusal, revocation, or suspension or a mistake in the written notice does not affect the validity of the attorney general's refusal to grant, or the revocation or suspension of, a short-term license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session. If the attorney general fails to give the written notice or if there is a mistake in the written notice, the applicant may bring an action to compel the attorney general to comply with this division or to correct the mistake, but the attorney general's order refusing to grant, or revoking or suspending, a short-term license to conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session shall not be enjoined during the pendency of the action. 1184
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Sec. 2915.09. (A) No charitable organization that conducts 1213

bingo shall fail to do any of the following: 1214

(1) Own all of the equipment used to conduct bingo or lease 1215
that equipment from a charitable organization that is licensed to 1216
conduct bingo for a rental rate that is not more than is customary 1217
and reasonable for that equipment; 1218

(2) Except as otherwise provided in division (A)(3) of this 1219
section, use all of the gross receipts from bingo for paying 1220
prizes, for renting premises in which to conduct a bingo session, 1221
for purchasing or leasing bingo supplies used in conducting bingo, 1222
for hiring security personnel, for advertising bingo, or for other 1223
expenses listed in division (LL) of section 2915.01 of the Revised 1224
Code, provided that the amount of the receipts so spent is not 1225
more than is customary and reasonable for a similar purchase, 1226
lease, hiring, advertising, or expense. If the building in which 1227
bingo is conducted is owned by the charitable organization 1228
conducting bingo and the bingo conducted includes a form of bingo 1229
described in division (S)(1) of section 2915.01 of the Revised 1230
Code, the charitable organization may deduct from the total amount 1231
of the gross receipts from each session a sum equal to the lesser 1232
of six hundred dollars or forty-five per cent of the gross 1233
receipts from the bingo described in that division as 1234
consideration for the use of the premises. 1235

(3) Use, or give, donate, or otherwise transfer, all of the 1236
net profit derived from bingo, other than instant bingo, for a 1237
charitable purpose listed in its license application and described 1238
in division (Z) of section 2915.01 of the Revised Code, or 1239
distribute all of the net profit from the proceeds of the sale of 1240
instant bingo as stated in its license application and in 1241
accordance with section 2915.101 of the Revised Code. 1242

(B) No charitable organization that conducts a bingo game 1243
described in division (S)(1) of section 2915.01 of the Revised 1244

Code shall fail to do any of the following: 1245

(1) Conduct the bingo game on premises that are owned by the 1246
charitable organization, on premises that are owned by another 1247
charitable organization and leased from that charitable 1248
organization for a rental rate not in excess of the lesser of six 1249
hundred dollars per bingo session or forty-five per cent of the 1250
gross receipts of the bingo session, on premises that are leased 1251
from a person other than a charitable organization for a rental 1252
rate that is not more than is customary and reasonable for 1253
premises that are similar in location, size, and quality but not 1254
in excess of four hundred fifty dollars per bingo session, or on 1255
premises that are owned by a person other than a charitable 1256
organization, that are leased from that person by another 1257
charitable organization, and that are subleased from that other 1258
charitable organization by the charitable organization for a 1259
rental rate not in excess of four hundred fifty dollars per bingo 1260
session. If the charitable organization leases from a person other 1261
than a charitable organization the premises on which it conducts 1262
bingo sessions, the lessor of the premises shall provide only the 1263
premises to the organization and shall not provide the 1264
organization with bingo game operators, security personnel, 1265
concessions or concession operators, bingo supplies, or any other 1266
type of service or equipment. A charitable organization shall not 1267
lease or sublease premises that it owns or leases to more than one 1268
other charitable organization per calendar week for the purpose of 1269
conducting bingo sessions on the premises. A person that is not a 1270
charitable organization shall not lease premises that it owns, 1271
leases, or otherwise is empowered to lease to more than one 1272
charitable organization per calendar week for conducting bingo 1273
sessions on the premises. In no case shall more than two bingo 1274
sessions be conducted on any premises in any calendar week. 1275

(2) Display its license conspicuously at the premises where 1276

the bingo session is conducted;	1277
(3) Conduct the bingo session in accordance with the	1278
definition of bingo set forth in division (S)(1) of section	1279
2915.01 of the Revised Code.	1280
(C) No charitable organization that conducts a bingo game	1281
described in division (S)(1) of section 2915.01 of the Revised	1282
Code shall do any of the following:	1283
(1) Pay any compensation to a bingo game operator for	1284
operating a bingo session that is conducted by the charitable	1285
organization or for preparing, selling, or serving food or	1286
beverages at the site of the bingo session, permit any auxiliary	1287
unit or society of the charitable organization to pay compensation	1288
to any bingo game operator who prepares, sells, or serves food or	1289
beverages at a bingo session conducted by the charitable	1290
organization, or permit any auxiliary unit or society of the	1291
charitable organization to prepare, sell, or serve food or	1292
beverages at a bingo session conducted by the charitable	1293
organization, if the auxiliary unit or society pays any	1294
compensation to the bingo game operators who prepare, sell, or	1295
serve the food or beverages;	1296
(2) Pay consulting fees to any person for any services	1297
performed in relation to the bingo session;	1298
(3) Pay concession fees to any person who provides	1299
refreshments to the participants in the bingo session;	1300
(4) Except as otherwise provided in division (C)(4) of this	1301
section, conduct more than two bingo sessions in any seven-day	1302
period. A volunteer firefighter's organization or a volunteer	1303
rescue service organization that conducts not more than five bingo	1304
sessions in a calendar year may conduct more than two bingo	1305
sessions in a seven-day period after notifying the attorney	1306
general when it will conduct the sessions.	1307

(5) Pay out more than three thousand five hundred dollars in prizes for bingo games described in division (S)(1) of section 2915.01 of the Revised Code during any bingo session that is conducted by the charitable organization. "Prizes" does not include awards from the conduct of instant bingo.

(6) Conduct a bingo session at any time during the ten-hour period between midnight and ten a.m., at any time during, or within ten hours of, a bingo game conducted for amusement only pursuant to section 2915.12 of the Revised Code, at any premises not specified on its license, or on any day of the week or during any time period not specified on its license. If circumstances make it impractical for the charitable organization that is issued a license under section 2915.08 of the Revised Code to conduct a bingo session at the premises, or on the day of the week or at the time, specified on its license or if a charitable organization wants to conduct bingo sessions on a day of the week or at a time other than the day or time specified on its license, the charitable organization may apply in writing to the attorney general for an amended license pursuant to division (F) of section 2915.08 of the Revised Code. A charitable organization may apply twice in each calendar year for an amended license to conduct bingo sessions on a day of the week or at a time other than the day or time specified on its license. If the amended license is granted, the organization may conduct bingo sessions at the premises, on the day of the week, and at the time specified on its amended license.

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

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

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

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

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

~~(i) For any single participant, not more than ninety bingo faces can be played using an electronic bingo aid or aids.~~

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

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

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

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

~~(vi)~~(iv) An electronic bingo aid cannot be used to provide for the input of numbers and letters announced by a bingo caller

other than the bingo caller who physically calls the numbers and 1370
letters at the location at which the bingo session is conducted 1371
and at which the electronic bingo aid is used. 1372

(b) The attorney general may adopt rules in accordance with 1373
Chapter 119. of the Revised Code that govern the use of electronic 1374
bingo aids. The rules may include a requirement that an electronic 1375
bingo aid be capable of being audited by the attorney general to 1376
verify the number of bingo cards or sheets played during each 1377
bingo session. 1378

(12) Permit any person the charitable organization knows, or 1379
should have known, to be under eighteen years of age to play bingo 1380
described in division (S)(1) of section 2915.01 of the Revised 1381
Code. 1382

(D)(1) Except as otherwise provided in division (D)(3) of 1383
this section, no charitable organization shall provide to a bingo 1384
game operator, and no bingo game operator shall receive or accept, 1385
any commission, wage, salary, reward, tip, donation, gratuity, or 1386
other form of compensation, directly or indirectly, regardless of 1387
the source, for conducting bingo or providing other work or labor 1388
at the site of bingo during a bingo session. 1389

(2) Except as otherwise provided in division (D)(3) of this 1390
section, no charitable organization shall provide to a bingo game 1391
operator any commission, wage, salary, reward, tip, donation, 1392
gratuity, or other form of compensation, directly or indirectly, 1393
regardless of the source, for conducting instant bingo other than 1394
at a bingo session at the site of instant bingo other than at a 1395
bingo session. 1396

(3) Nothing in division (D) of this section prohibits an 1397
employee of a fraternal organization, veteran's organization, or 1398
sporting organization from selling instant bingo tickets or cards 1399
to the organization's members or invited guests, as long as no 1400

portion of the employee's compensation is paid from any receipts 1401
of bingo. 1402

(E) Notwithstanding division (B)(1) of this section, a 1403
charitable organization that, prior to December 6, 1977, has 1404
entered into written agreements for the lease of premises it owns 1405
to another charitable organization or other charitable 1406
organizations for the conducting of bingo sessions so that more 1407
than two bingo sessions are conducted per calendar week on the 1408
premises, and a person that is not a charitable organization and 1409
that, prior to December 6, 1977, has entered into written 1410
agreements for the lease of premises it owns to charitable 1411
organizations for the conducting of more than two bingo sessions 1412
per calendar week on the premises, may continue to lease the 1413
premises to those charitable organizations, provided that no more 1414
than four sessions are conducted per calendar week, that the 1415
lessor organization or person has notified the attorney general in 1416
writing of the organizations that will conduct the sessions and 1417
the days of the week and the times of the day on which the 1418
sessions will be conducted, that the initial lease entered into 1419
with each organization that will conduct the sessions was filed 1420
with the attorney general prior to December 6, 1977, and that each 1421
organization that will conduct the sessions was issued a license 1422
to conduct bingo games by the attorney general prior to December 1423
6, 1977. 1424

(F) This section does not prohibit a bingo licensed 1425
charitable organization or a game operator from giving any person 1426
an instant bingo ticket as a prize. 1427

(G) Whoever violates division (A)(2) of this section is 1428
guilty of illegally conducting a bingo game, a felony of the 1429
fourth degree. Except as otherwise provided in this division, 1430
whoever violates division (A)(1) or (3), (B)(1), (2), or (3), 1431
(C)(1) to (12), or (D) of this section is guilty of a minor 1432

misdemeanor. If the offender previously has been convicted of a 1433
violation of division (A)(1) or (3), (B)(1), (2), or (3), (C)(1) 1434
to (11), or, (D) of this section, a violation of division (A)(1) 1435
or (3), (B)(1), (2), or (3), (C), or (D) of this section is a 1436
misdemeanor of the first degree. Whoever violates division (C)(12) 1437
of this section is guilty of a misdemeanor of the first degree, if 1438
the offender previously has been convicted of a violation of 1439
division (C)(12) of this section, a felony of the fourth degree. 1440

Sec. 2915.091. (A) No charitable organization that conducts 1441
instant bingo shall do any of the following: 1442

(1) Fail to comply with the requirements of divisions (A)(1), 1443
(2), and (3) of section 2915.09 of the Revised Code; 1444

(2) Conduct instant bingo unless either of the following 1445
apply: 1446

(a) That organization is, and has received from the internal 1447
revenue service a determination letter that is currently in effect 1448
stating that the organization is, exempt from federal income 1449
taxation under subsection 501(a), is described in subsection 1450
501(c)(3) of the Internal Revenue Code, is a charitable 1451
organization as defined in section 2915.01 of the Revised Code, is 1452
in good standing in the state pursuant to section 2915.08 of the 1453
Revised Code, and is in compliance with Chapter 1716. of the 1454
Revised Code; 1455

(b) That organization is, and has received from the internal 1456
revenue service a determination letter that is currently in effect 1457
stating that the organization is, exempt from federal income 1458
taxation under subsection 501(a), is described in subsection 1459
501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is a veteran's 1460
organization described in subsection 501(c)(4) of the Internal 1461
Revenue Code, and conducts instant bingo under section 2915.13 of 1462
the Revised Code. 1463

(3) Conduct instant bingo on any day, at any time, or at any premises not specified on the organization's license issued pursuant to section 2915.08 of the Revised Code;	1464 1465 1466
(4) Permit any person whom the organization knows or should have known has been convicted of a felony or gambling offense in any jurisdiction to be a bingo game operator in the conduct of instant bingo;	1467 1468 1469 1470
(5) Purchase or lease supplies used to conduct instant bingo or punch board games from any person except a distributor licensed under section 2915.081 of the Revised Code;	1471 1472 1473
(6) Sell <u>On or after January 1, 2004, sell</u> or provide any instant bingo ticket or card for a price different from the price printed on it by the manufacturer on either the instant bingo ticket or card or on the game flare;	1474 1475 1476 1477
(7) Sell an instant bingo ticket or card to a person under eighteen years of age;	1478 1479
(8) Fail to keep unsold instant bingo tickets or cards for less than three years;	1480 1481
(9) Pay any compensation to a bingo game operator for conducting instant bingo that is conducted by the organization or for preparing, selling, or serving food or beverages at the site of the instant bingo game, permit any auxiliary unit or society of the organization to pay compensation to any bingo game operator who prepares, sells, or serves food or beverages at an instant bingo game conducted by the organization, or permit any auxiliary unit or society of the organization to prepare, sell, or serve food or beverages at an instant bingo game conducted by the organization, if the auxiliary unit or society pays any compensation to the bingo game operators who prepare, sell, or serve the food or beverages;	1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493

(10) Pay fees to any person for any services performed in relation to an instant bingo game;	1494 1495
(11) Pay fees to any person who provides refreshments to the participants in an instant bingo game;	1496 1497
(12)(a) Allow instant bingo tickets or cards to be sold to bingo game operators at a premises at which the organization sells instant bingo tickets or cards or to be sold to employees of a D permit holder who are working at a premises at which instant bingo tickets or cards are sold;	1498 1499 1500 1501 1502
(b) Division (A)(12)(a) of this section does not prohibit a licensed charitable organization or a bingo game operator from giving any person an instant bingo tickets as a prize.	1503 1504 1505
(13) Fail to display its bingo license, and the serial numbers of the deal of instant bingo tickets or cards to be sold, conspicuously at each premises at which it sells instant bingo tickets or cards;	1506 1507 1508 1509
(14) Possess a deal of instant bingo tickets or cards that was not purchased from a distributor licensed under section 2915.081 of the Revised Code as reflected on an invoice issued by the distributor that contains all of the information required by division (E) of section 2915.10 of the Revised Code;	1510 1511 1512 1513 1514
(15) Fail, once it opens a deal of instant bingo tickets or cards, to continue to sell the tickets or cards in that deal until the tickets or cards with the top two highest tiers of prizes in that deal are sold;	1515 1516 1517 1518
(16) Purchase, lease, or use instant bingo ticket dispensers to sell instant bingo tickets or cards;	1519 1520
(17) Possess bingo supplies that were not obtained in accordance with sections 2915.01 to 2915.13 of the Revised Code.	1521 1522
(B) A charitable organization may conduct instant bingo other	1523

than at a bingo session at not more than five separate locations. 1524
A charitable organization that is exempt from federal taxation 1525
under subsection 501(a) and described in subsection 501(c)(3) of 1526
the Internal Revenue Code and that is created by a veteran's 1527
organization or a fraternal organization is not limited in the 1528
number of separate locations the charitable organization may 1529
conduct instant bingo other than at a bingo session. 1530

(C) The attorney general may adopt rules in accordance with 1531
Chapter 119. of the Revised Code that govern the conduct of 1532
instant bingo by charitable organizations. Before those rules are 1533
adopted, the attorney general shall reference the recommended 1534
standards for opacity, randomization, minimum information, winner 1535
protection, color, and cutting for instant bingo tickets or cards, 1536
seal cards, and punch boards established by the North American 1537
gaming regulators association. 1538

(D) Whoever violates division (A) of this section or a rule 1539
adopted under division (C) of this section is guilty of illegal 1540
instant bingo conduct. Except as otherwise provided in this 1541
division, illegal instant bingo conduct is a misdemeanor of the 1542
first degree. If the offender previously has been convicted of a 1543
violation of division (A) of this section or of such a rule, 1544
illegal instant bingo conduct is a felony of the fifth degree. 1545

Sec. 2915.092. (A) A charitable organization, a public 1546
school, a chartered nonpublic school, a community school, or a 1547
sporting organization that is exempt from federal income taxation 1548
under subsection 501(a) and is described in subsection 501(c)(3), 1549
501(c)(4), ~~or 501(c)(7)~~, 501(c)(8), 501(c)(10), or 501(c)(19) of 1550
the Internal Revenue Code may conduct a raffle to raise money for 1551
the organization or school and does not need a license to conduct 1552
bingo in order to conduct a raffle drawing that is not for profit. 1553

(B) Except as provided in division (A) of this section, no 1554

person shall conduct a raffle drawing that is for profit or a 1555
raffle drawing that is not for profit. 1556

(C) Whoever violates division (B) of this section is guilty 1557
of illegal conduct of a raffle. Except as otherwise provided in 1558
this division, illegal conduct of a raffle is a misdemeanor of the 1559
first degree. If the offender previously has been convicted of a 1560
violation of division (B) of this section, illegal conduct of a 1561
raffle is a felony of the fifth degree. 1562

Sec. 2915.10. (A) No charitable organization that conducts 1563
bingo or a game of chance pursuant to division (D) of section 1564
2915.02 of the Revised Code shall fail to maintain the following 1565
records for at least three years from the date on which the bingo 1566
or game of chance is conducted: 1567

(1) An itemized list of the gross receipts of each bingo 1568
session, each game of instant bingo by serial number, each raffle, 1569
each punch board game, and each game of chance, and an itemized 1570
list of the gross profits of each game of instant bingo by serial 1571
number; 1572

(2) An itemized list of all expenses, other than prizes, that 1573
are incurred in conducting bingo or instant bingo, the name of 1574
each person to whom the expenses are paid, and a receipt for all 1575
of the expenses; 1576

(3) A list of all prizes awarded during each bingo session, 1577
each raffle, each punch board game, and each game of chance 1578
conducted by the charitable organization, the total prizes awarded 1579
from each game of instant bingo by serial number, and the name, 1580
address, and social security number of all persons who are winners 1581
of prizes of six hundred dollars or more in value; 1582

(4) An itemized list of the recipients of the net profit of 1583
the bingo or game of chance, including the name and address of 1584

each recipient to whom the money is distributed, and if the 1585
organization uses the net profit of bingo, or the money or assets 1586
received from a game of chance, for any charitable or other 1587
purpose set forth in division (Z) of section 2915.01, division (D) 1588
of section 2915.02, or section 2915.101 of the Revised Code, a 1589
list of each purpose and an itemized list of each expenditure for 1590
each purpose; 1591

(5) The number of persons who participate in any bingo 1592
session or game of chance that is conducted by the charitable 1593
organization; 1594

(6) A list of receipts from the sale of food and beverages by 1595
the charitable organization or one of its auxiliary units or 1596
societies, if the receipts were excluded from gross receipts under 1597
division (X) of section 2915.01 of the Revised Code; 1598

(7) An itemized list of all expenses incurred at each bingo 1599
session, each raffle, each punch board game, or each game of 1600
instant bingo conducted by the charitable organization in the sale 1601
of food and beverages by the charitable organization or by an 1602
auxiliary unit or society of the charitable organization, the name 1603
of each person to whom the expenses are paid, and a receipt for 1604
all of the expenses; 1605

(8) An itemized list of each deposit and withdrawal from any 1606
separate account in a financial institution that is maintained 1607
pursuant to section 2915.101 of the Revised Code for the net 1608
profit from the proceeds of the sale of instant bingo and an 1609
itemized list of the purpose for each withdrawal from that 1610
separate account. 1611

(B) A charitable organization shall keep the records that it 1612
is required to maintain pursuant to division (A) of this section 1613
at its principal place of business in this state or at its 1614
headquarters in this state and shall notify the attorney general 1615

of the location at which those records are kept. 1616

(C) The gross profit from each bingo session or game 1617
described in division (S)(1) or (2) of section 2915.01 of the 1618
Revised Code shall be deposited into a checking account devoted 1619
exclusively to the bingo session or game. Payments for allowable 1620
expenses incurred in conducting the bingo session or game and 1621
payments to recipients of some or all of the net profit of the 1622
bingo session or game shall be made only by checks drawn on the 1623
bingo session or game account. 1624

(D) Each charitable organization shall conduct and record an 1625
inventory of all of its bingo supplies as of the first day of 1626
November of each year. 1627

(E) The attorney general may adopt rules in accordance with 1628
Chapter 119. of the Revised Code that establish standards of 1629
accounting, record keeping, and reporting to ensure that gross 1630
receipts from bingo or games of chance are properly accounted for. 1631

(F) A distributor shall maintain, for a period of three years 1632
after the date of its sale or other provision, a record of each 1633
instance of its selling or otherwise providing to another person 1634
bingo supplies for use in this state. The record shall include all 1635
of the following for each instance: 1636

(1) The name of the manufacturer from which the distributor 1637
purchased the bingo supplies and the date of the purchase; 1638

(2) The name and address of the charitable organization or 1639
other distributor to which the bingo supplies were sold or 1640
otherwise provided; 1641

(3) A description that clearly identifies the bingo supplies; 1642

(4) Invoices that include the nonrepeating serial numbers of 1643
all paper bingo cards and sheets and all instant bingo deals sold 1644
or otherwise provided to each charitable organization. 1645

(G) A manufacturer shall maintain, for a period of three 1646
years after the date of its sale or other provision, a record of 1647
each instance of its selling or otherwise providing bingo supplies 1648
for use in this state. The record shall include all of the 1649
following for each instance: 1650

(1) The name and address of the distributor to whom the bingo 1651
supplies were sold or otherwise provided; 1652

(2) A description that clearly identifies the bingo supplies, 1653
including serial numbers; 1654

(3) Invoices that include the nonrepeating serial numbers of 1655
all paper bingo cards and sheets and all instant bingo deals sold 1656
or otherwise provided to each distributor. 1657

(H) The attorney general or any law enforcement agency may do 1658
all of the following: 1659

(1) Investigate any charitable organization or any officer, 1660
agent, trustee, member, or employee of the organization; 1661

(2) Examine the accounts and records of the organization; 1662

(3) Conduct inspections, audits, and observations of bingo or 1663
games of chance; 1664

(4) Conduct inspections of the premises where bingo or games 1665
of chance are conducted; 1666

(5) Conduct an audit of any separate account in a financial 1667
institution that is maintained pursuant to section 2915.101 of the 1668
Revised Code for the net profit from the proceeds of the sale of 1669
instant bingo; 1670

(6) Take any other necessary and reasonable action to 1671
determine if a violation of any provision of sections 2915.01 to 1672
2915.13 of the Revised Code has occurred and to determine whether 1673
section 2915.11 of the Revised Code has been complied with. 1674

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

(I) 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 bingo or a game of chance or premises where bingo or a game of chance is 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 law enforcement agency pursuant to division (H) of this section.

(J) Whoever violates division (A) or (I) of this section is guilty of a misdemeanor of the first degree.

Sec. 2915.101. (A) 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, a fraternal organization, or a sporting organization conducted the instant bingo, the organization shall distribute the net profit from the proceeds of the sale of instant bingo, 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; 1705

(b) Five per cent may be distributed for the organization's 1706
own charitable purposes. 1707

(c) Forty-five per cent may be deducted and retained by the 1708
organization for the organization's expenses in conducting the 1709
instant bingo game. 1710

(2) If a veteran's organization, a fraternal organization, or 1711
a sporting organization does not distribute the full percentages 1712
specified in divisions (A)(1)(b) and (c) of this section for the 1713
purposes specified in those divisions, the organization shall 1714
distribute the balance of the net profit from the proceeds of the 1715
sale of instant bingo not distributed or retained for those 1716
purposes to an organization described in division (Z)(1) of 1717
section 2915.01 of the Revised Code. 1718

(3) A veteran's organization, a fraternal organization, or a 1719
sporting organization shall pay the expenses that are directly for 1720
the conduct of instant bingo by check from the checking account 1721
devoted exclusively to the bingo session or game and may deduct 1722
and retain the remainder of the ~~thirty-five~~ forty-five per cent of 1723
the net profit from the proceeds of the sale of instant bingo ~~that~~ 1724
~~is for the organization's expenses in conducting the instant bingo~~ 1725
~~game,~~ and may transfer that remainder into the organization's 1726
general account. 1727

~~(B)~~(4) If a charitable organization other than a veteran's 1728
organization, a fraternal organization, or a sporting organization 1729
conducted the instant bingo, the organization shall distribute one 1730
hundred per cent of the net profit from the proceeds of the sale 1731
of instant bingo to an organization described in division (Z)(1) 1732
of section 2915.01 of the Revised Code or to a department or 1733
agency of the federal government, the state, or any political 1734
subdivision. 1735

(B)(1) A charitable organization that conducts instant bingo shall deposit the net profit from the proceeds of the sale of instant bingo into a separate account established at a financial institution, as defined in section 1115.07 of the Revised Code, prior to distributing that net profit as provided in division (A) of this section. 1736
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(2) A charitable organization shall use the net profit from the proceeds of the sale of instant bingo as specified in the organization's instant bingo application. 1742
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Sec. 2915.13. (A) A veteran's organization, a fraternal organization, or a sporting organization authorized to conduct a bingo session pursuant to sections 2915.01 to 2915.12 of the Revised Code may conduct instant bingo other than at a bingo session if all of the following apply: 1745
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(1) The veteran's organization, fraternal organization, or sporting organization limits the sale of instant bingo to ~~ten~~ twelve consecutive hours ~~per~~ during any day for up to six days per week. 1750
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(2) The veteran's organization, fraternal organization, or sporting organization limits the sale of instant bingo to its own premises and to its own members and invited guests. 1754
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(3) The veteran's organization, fraternal organization, or sporting organization is raising money for an organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that maintains its principal place of business in this state, 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 in good standing in this state and executes a written contract with that organization as required 1757
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in division (B) of this section. 1766

(B) If a veteran's organization, fraternal organization, or 1767
sporting organization authorized to conduct instant bingo pursuant 1768
to division (A) of this section is raising money for another 1769
organization that is described in subsection 509(a)(1), 509(a)(2), 1770
or 509(a)(3) of the Internal Revenue Code and is either a 1771
governmental unit or an organization that maintains its principal 1772
place of business in this state, that is exempt from federal 1773
income taxation under subsection 501(a) and described in 1774
subsection 501(c)(3) of the Internal Revenue Code, and that is in 1775
good standing in this state, the veteran's organization, fraternal 1776
organization, or sporting organization shall execute a written 1777
contract with the organization that is described in subsection 1778
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 1779
and is either a governmental unit or an organization that 1780
maintains its principal place of business in this state, that is 1781
exempt from federal income taxation under subsection 501(a) and 1782
described in subsection 501(c)(3) of the Internal Revenue Code, 1783
and that is in good standing in this state in order to conduct 1784
instant bingo. That contract shall include a statement of the 1785
percentage of the net proceeds that the veteran's, fraternal, or 1786
sporting organization will be distributing to the organization 1787
that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) 1788
of the Internal Revenue Code and is either a governmental unit or 1789
an organization that maintains its principal place of business in 1790
this state, that is exempt from federal income taxation under 1791
subsection 501(a) and described in subsection 501(c)(3) of the 1792
Internal Revenue Code, and that is in good standing in this state. 1793

(C)(1) If a veteran's organization, fraternal organization, 1794
or sporting organization authorized to conduct instant bingo 1795
pursuant to division (A) of this section has been issued a liquor 1796
permit under Chapter 4303. of the Revised Code, the veteran's 1797

organization, fraternal organization, or sporting organization may 1798
sell instant bingo in the area to which the license applies and 1799
that permit may be subject to suspension, revocation, or 1800
cancellation if the veteran's organization, fraternal 1801
organization, or sporting organization violates a provision of 1802
sections 2915.01 to 2915.13 of the Revised Code. 1803

(2) No veteran's organization, fraternal organization, or 1804
sporting organization that enters into a written contract pursuant 1805
to division (B) of this section shall violate any provision of 1806
Chapter 2915. of the Revised Code, or permit, aid, or abet any 1807
other person in violating any provision of Chapter 2915. of the 1808
Revised Code. 1809

(D) A veteran's organization, fraternal organization, or 1810
sporting organization shall give all required proceeds earned from 1811
the conduct of instant bingo to the organization ~~with which the~~ 1812
~~veteran's organization, fraternal organization, or sporting~~ 1813
~~organization has entered into a written contract as specified in~~ 1814
division (B) of this section. 1815

(E) Whoever violates this section is guilty of illegal 1816
instant bingo conduct. Except as otherwise provided in this 1817
division, illegal instant bingo conduct is a misdemeanor of the 1818
first degree. If the offender previously has been convicted of a 1819
violation of this section, illegal instant bingo conduct is a 1820
felony of the fifth degree. 1821

Section 2. That existing sections 2915.01, 2915.02, 2915.03, 1822
2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2915.092, 1823
2915.10, 2915.101, and 2915.13 of the Revised Code are hereby 1824
repealed. 1825

Section 3. Section 2915.01 of the Revised Code is presented 1826
in this act as a composite of the section as amended by both Am. 1827
Sub. H.B. 95 and Am. Sub. S.B. 37 of the 125th General Assembly. 1828

The General Assembly, applying the principle stated in division	1829
(B) of section 1.52 of the Revised Code that amendments are to be	1830
harmonized if reasonably capable of simultaneous operation, finds	1831
that the composite is the resulting version of the section in	1832
effect prior to the effective date of the section as presented in	1833
this act.	1834