

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 49**

**Representative Gibbs**

**Cosponsors: Representatives Seitz, Collier, Latta, Stewart, J., Garrison,  
Combs, Adams**

—

**A B I L L**

To amend sections 109.32, 2915.01, 2915.02, 2915.07, 1  
2915.081, 2915.09, and 2915.091 and to enact 2  
section 2915.083 of the Revised Code to allow a 3  
charitable organization to obtain a short-term 4  
license to conduct bingo, instant bingo at a bingo 5  
session, or instant bingo other than at a bingo 6  
session. 7

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

**Section 1.** That sections 109.32, 2915.01, 2915.02, 2915.07, 8  
2915.081, 2915.09, and 2915.091 be amended and section 2915.083 of 9  
the Revised Code be enacted to read as follows: 10

**Sec. 109.32.** All annual filing fees obtained by the attorney 11  
general pursuant to section 109.31 of the Revised Code, all 12  
receipts obtained from the sale of the charitable foundations 13  
directory, all registration fees received by the attorney general, 14  
bond forfeitures, awards of costs and attorney's fees, and civil 15  
penalties assessed under Chapter 1716. of the Revised Code, and 16  
all license fees received by the attorney general under section 17  
2915.08, 2915.081, ~~or~~ 2915.082, or 2915.083 of the Revised Code 18

shall be paid into the state treasury to the credit of the 19  
charitable law fund. The charitable law fund shall be used insofar 20  
as its moneys are available for the expenses of the charitable law 21  
section of the office of the attorney general, except that all 22  
~~annual~~ license fees that are received by the attorney general 23  
under section 2915.08, 2915.081, ~~or~~ 2915.082, or 2915.083 of the 24  
Revised Code and that are credited to the fund shall be used by 25  
the attorney general, or any law enforcement agency in cooperation 26  
with the attorney general, for the purposes specified in division 27  
(H) of section 2915.10 of the Revised Code and to administer and 28  
enforce Chapter 2915. of the Revised Code. The expenses of the 29  
charitable law section in excess of moneys available in the 30  
charitable law fund shall be paid out of regular appropriations to 31  
the office of the attorney general. 32

**Sec. 2915.01.** As used in this chapter: 33

(A) "Bookmaking" means the business of receiving or paying 34  
off bets. 35

(B) "Bet" means the hazarding of anything of value upon the 36  
result of an event, undertaking, or contingency, but does not 37  
include a bona fide business risk. 38

(C) "Scheme of chance" means a slot machine, lottery, numbers 39  
game, pool conducted for profit, or other scheme in which a 40  
participant gives a valuable consideration for a chance to win a 41  
prize, but does not include bingo, a skill-based amusement 42  
machine, or a pool not conducted for profit. 43

(D) "Game of chance" means poker, craps, roulette, or other 44  
game in which a player gives anything of value in the hope of 45  
gain, the outcome of which is determined largely by chance, but 46  
does not include bingo. 47

(E) "Game of chance conducted for profit" means any game of 48

chance designed to produce income for the person who conducts or	49
operates the game of chance, but does not include bingo.	50
(F) "Gambling device" means any of the following:	51
(1) A book, totalizer, or other equipment for recording bets;	52
(2) A ticket, token, or other device representing a chance,	53
share, or interest in a scheme of chance or evidencing a bet;	54
(3) A deck of cards, dice, gaming table, roulette wheel, slot	55
machine, or other apparatus designed for use in connection with a	56
game of chance;	57
(4) Any equipment, device, apparatus, or paraphernalia	58
specially designed for gambling purposes;	59
(5) Bingo supplies sold or otherwise provided, or used, in	60
violation of this chapter.	61
(G) "Gambling offense" means any of the following:	62
(1) A violation of section 2915.02, 2915.03, 2915.04,	63
2915.05, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091,	64
2915.092, 2915.10, or 2915.11 of the Revised Code;	65
(2) A violation of an existing or former municipal ordinance	66
or law of this or any other state or the United States	67
substantially equivalent to any section listed in division (G)(1)	68
of this section or a violation of section 2915.06 of the Revised	69
Code as it existed prior to July 1, 1996;	70
(3) An offense under an existing or former municipal	71
ordinance or law of this or any other state or the United States,	72
of which gambling is an element;	73
(4) A conspiracy or attempt to commit, or complicity in	74
committing, any offense under division (G)(1), (2), or (3) of this	75
section.	76
(H) Except as otherwise provided in this chapter, "charitable	77

organization" means any tax exempt religious, educational, 78  
veteran's, fraternal, sporting, service, nonprofit medical, 79  
volunteer rescue service, volunteer firefighter's, senior 80  
citizen's, historic railroad educational, youth athletic, amateur 81  
athletic, or youth athletic park organization. An organization is 82  
tax exempt if the organization is, and has received from the 83  
internal revenue service a determination letter that currently is 84  
in effect stating that the organization is, exempt from federal 85  
income taxation under subsection 501(a) and described in 86  
subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 87  
501(c)(19) of the Internal Revenue Code, or if the organization is 88  
a sporting organization that is exempt from federal income 89  
taxation under subsection 501(a) and is described in subsection 90  
501(c)(7) of the Internal Revenue Code. To qualify as a charitable 91  
organization, an organization, except a volunteer rescue service 92  
or volunteer ~~fire fighter's~~ firefighter's organization, shall have 93  
been in continuous existence as such in this state for a period of 94  
two years immediately preceding either the making of an 95  
application for a bingo license under section 2915.08 or 2915.083 96  
of the Revised Code or the conducting of any game of chance as 97  
provided in division (D) of section 2915.02 of the Revised Code. A 98  
charitable organization that is exempt from federal income 99  
taxation under subsection 501(a) and described in subsection 100  
501(c)(3) of the Internal Revenue Code and that is created by a 101  
veteran's organization, a fraternal organization, or a sporting 102  
organization does not have to have been in continuous existence as 103  
such in this state for a period of two years immediately preceding 104  
either the making of an application for a bingo license under 105  
section 2915.08 or 2915.083 of the Revised Code or the conducting 106  
of any game of chance as provided in division (D) of section 107  
2915.02 of the Revised Code. 108

(I) "Religious organization" means any church, body of 109  
communicants, or group that is not organized or operated for 110

profit and that gathers in common membership for regular worship 111  
and religious observances. 112

(J) "Educational organization" means any organization within 113  
this state that is not organized for profit, the primary purpose 114  
of which is to educate and develop the capabilities of individuals 115  
through instruction by means of operating or contributing to the 116  
support of a school, academy, college, or university. 117

(K) "Veteran's organization" means any individual post or 118  
state headquarters of a national veteran's association or an 119  
auxiliary unit of any individual post of a national veteran's 120  
association, which post, state headquarters, or auxiliary unit has 121  
been in continuous existence in this state for at least two years 122  
and incorporated as a nonprofit corporation and either has 123  
received a letter from the state headquarters of the national 124  
veteran's association indicating that the individual post or 125  
auxiliary unit is in good standing with the national veteran's 126  
association or has received a letter from the national veteran's 127  
association indicating that the state headquarters is in good 128  
standing with the national veteran's association. As used in this 129  
division, "national veteran's association" means any veteran's 130  
association that has been in continuous existence as such for a 131  
period of at least five years and either is incorporated by an act 132  
of the United States congress or has a national dues-paying 133  
membership of at least five thousand persons. 134

(L) "Volunteer firefighter's organization" means any 135  
organization of volunteer firefighters, as defined in section 136  
146.01 of the Revised Code, that is organized and operated 137  
exclusively to provide financial support for a volunteer fire 138  
department or a volunteer fire company and that is recognized or 139  
ratified by a county, municipal corporation, or township. 140

(M) "Fraternal organization" means any society, order, state 141  
headquarters, or association within this state, except a college 142

or high school fraternity, that is not organized for profit, that 143  
is a branch, lodge, or chapter of a national or state 144  
organization, that exists exclusively for the common business or 145  
sodality of its members, and that has been in continuous existence 146  
in this state for a period of five years. 147

(N) "Volunteer rescue service organization" means any 148  
organization of volunteers organized to function as an emergency 149  
medical service organization, as defined in section 4765.01 of the 150  
Revised Code. 151

(O) "Service organization" means either of the following: 152

(1) Any organization, not organized for profit, that is 153  
organized and operated exclusively to provide, or to contribute to 154  
the support of organizations or institutions organized and 155  
operated exclusively to provide, medical and therapeutic services 156  
for persons who are crippled, born with birth defects, or have any 157  
other mental or physical defect or those organized and operated 158  
exclusively to protect, or to contribute to the support of 159  
organizations or institutions organized and operated exclusively 160  
to protect, animals from inhumane treatment or provide immediate 161  
shelter to victims of domestic violence; 162

(2) Any organization that is described in subsection 163  
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 164  
and is either a governmental unit or an organization that is tax 165  
exempt under subsection 501(a) and described in subsection 166  
501(c)(3) of the Internal Revenue Code and that is an 167  
organization, not organized for profit, that is organized and 168  
operated primarily to provide, or to contribute to the support of 169  
organizations or institutions organized and operated primarily to 170  
provide, medical and therapeutic services for persons who are 171  
crippled, born with birth defects, or have any other mental or 172  
physical defect. 173

(P) "Nonprofit medical organization" means either of the 174  
following: 175

(1) Any organization that has been incorporated as a 176  
nonprofit corporation for at least five years and that has 177  
continuously operated and will be operated exclusively to provide, 178  
or to contribute to the support of organizations or institutions 179  
organized and operated exclusively to provide, hospital, medical, 180  
research, or therapeutic services for the public; 181

(2) Any organization that is described and qualified under 182  
subsection 501(c)(3) of the Internal Revenue Code, that has been 183  
incorporated as a nonprofit corporation for at least five years, 184  
and that has continuously operated and will be operated primarily 185  
to provide, or to contribute to the support of organizations or 186  
institutions organized and operated primarily to provide, 187  
hospital, medical, research, or therapeutic services for the 188  
public. 189

(Q) "Senior citizen's organization" means any private 190  
organization, not organized for profit, that is organized and 191  
operated exclusively to provide recreational or social services 192  
for persons who are fifty-five years of age or older and that is 193  
described and qualified under subsection 501(c)(3) of the Internal 194  
Revenue Code. 195

(R) "Charitable bingo game" means any bingo game described in 196  
division (S)(1) or (2) of this section that is conducted by a 197  
charitable organization that has obtained a license pursuant to 198  
section 2915.08 or 2915.083 of the Revised Code and the proceeds 199  
of which are used for a charitable purpose. 200

(S) "Bingo" means either of the following: 201

(1) A game with all of the following characteristics: 202

(a) The participants use bingo cards or sheets, including 203  
paper formats and electronic representation or image formats, that 204

are divided into twenty-five spaces arranged in five horizontal 205  
and five vertical rows of spaces, with each space, except the 206  
central space, being designated by a combination of a letter and a 207  
number and with the central space being designated as a free 208  
space. 209

(b) The participants cover the spaces on the bingo cards or 210  
sheets that correspond to combinations of letters and numbers that 211  
are announced by a bingo game operator. 212

(c) A bingo game operator announces combinations of letters 213  
and numbers that appear on objects that a bingo game operator 214  
selects by chance, either manually or mechanically, from a 215  
receptacle that contains seventy-five objects at the beginning of 216  
each game, each object marked by a different combination of a 217  
letter and a number that corresponds to one of the seventy-five 218  
possible combinations of a letter and a number that can appear on 219  
the bingo cards or sheets. 220

(d) The winner of the bingo game includes any participant who 221  
properly announces during the interval between the announcements 222  
of letters and numbers as described in division (S)(1)(c) of this 223  
section, that a predetermined and preannounced pattern of spaces 224  
has been covered on a bingo card or sheet being used by the 225  
participant. 226

(2) Instant bingo, punch boards, and raffles. 227

(T) "Conduct" means to back, promote, organize, manage, carry 228  
on, sponsor, or prepare for the operation of bingo or a game of 229  
chance. 230

(U) "Bingo game operator" means any person, except security 231  
personnel, who performs work or labor at the site of bingo, 232  
including, but not limited to, collecting money from participants, 233  
handing out bingo cards or sheets or objects to cover spaces on 234  
bingo cards or sheets, selecting from a receptacle the objects 235



that contain the combination of letters and numbers that appear on 236  
bingo cards or sheets, calling out the combinations of letters and 237  
numbers, distributing prizes, selling or redeeming instant bingo 238  
tickets or cards, supervising the operation of a punch board, 239  
selling raffle tickets, selecting raffle tickets from a receptacle 240  
and announcing the winning numbers in a raffle, and preparing, 241  
selling, and serving food or beverages. 242

(V) "Participant" means any person who plays bingo. 243

(W) "Bingo session" means a period that includes both of the 244  
following: 245

(1) Not to exceed five continuous hours for the conduct of 246  
one or more games described in division (S)(1) of this section, 247  
instant bingo, and seal cards; 248

(2) A period for the conduct of instant bingo and seal cards 249  
for not more than two hours before and not more than two hours 250  
after the period described in division (W)(1) of this section. 251

(X) "Gross receipts" means all money or assets, including 252  
admission fees, that a person receives from bingo without the 253  
deduction of any amounts for prizes paid out or for the expenses 254  
of conducting bingo. "Gross receipts" does not include any money 255  
directly taken in from the sale of food or beverages by a 256  
charitable organization conducting bingo, or by a bona fide 257  
auxiliary unit or society of a charitable organization conducting 258  
bingo, provided all of the following apply: 259

(1) The auxiliary unit or society has been in existence as a 260  
bona fide auxiliary unit or society of the charitable organization 261  
for at least two years prior to conducting bingo. 262

(2) The person who purchases the food or beverage receives 263  
nothing of value except the food or beverage and items customarily 264  
received with the purchase of that food or beverage. 265

(3) The food and beverages are sold at customary and reasonable prices. 266  
267

(Y) "Security personnel" includes any person who either is a sheriff, deputy sheriff, marshal, deputy marshal, township constable, or member of an organized police department of a municipal corporation or has successfully completed a peace officer's training course pursuant to sections 109.71 to 109.79 of the Revised Code and who is hired to provide security for the premises on which bingo is conducted. 268  
269  
270  
271  
272  
273  
274

(Z) "Charitable purpose" means that the net profit of bingo, other than instant bingo, is used by, or is given, donated, or otherwise transferred to, any of the following: 275  
276  
277

(1) Any organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code; 278  
279  
280  
281  
282

(2) A veteran's organization that is a post, chapter, or organization of veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post, chapter, or organization organized in the United States or any of its possessions, at least seventy-five per cent of the members of which are veterans and substantially all of the other members of which are individuals who are spouses, widows, or widowers of veterans, or such individuals, provided that no part of the net earnings of such post, chapter, or organization inures to the benefit of any private shareholder or individual, and further provided that the net profit is used by the post, chapter, or organization for the charitable purposes set forth in division (B)(12) of section 5739.02 of the Revised Code, is used for awarding scholarships to or for attendance at an institution mentioned in division (B)(12) of section 5739.02 of the Revised Code, is donated to a 283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297

governmental agency, or is used for nonprofit youth activities, 298  
the purchase of United States or Ohio flags that are donated to 299  
schools, youth groups, or other bona fide nonprofit organizations, 300  
promotion of patriotism, or disaster relief; 301

(3) A fraternal organization that has been in continuous 302  
existence in this state for fifteen years and that uses the net 303  
profit exclusively for religious, charitable, scientific, 304  
literary, or educational purposes, or for the prevention of 305  
cruelty to children or animals, if contributions for such use 306  
would qualify as a deductible charitable contribution under 307  
subsection 170 of the Internal Revenue Code; 308

(4) A volunteer firefighter's organization that uses the net 309  
profit for the purposes set forth in division (L) of this section. 310

(AA) "Internal Revenue Code" means the "Internal Revenue Code 311  
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 312  
amended. 313

(BB) "Youth athletic organization" means any organization, 314  
not organized for profit, that is organized and operated 315  
exclusively to provide financial support to, or to operate, 316  
athletic activities for persons who are twenty-one years of age or 317  
younger by means of sponsoring, organizing, operating, or 318  
contributing to the support of an athletic team, club, league, or 319  
association. 320

(CC) "Youth athletic park organization" means any 321  
organization, not organized for profit, that satisfies both of the 322  
following: 323

(1) It owns, operates, and maintains playing fields that 324  
satisfy both of the following: 325

(a) The playing fields are used at least one hundred days per 326  
year for athletic activities by one or more organizations, not 327  
organized for profit, each of which is organized and operated 328

exclusively to provide financial support to, or to operate, 329  
athletic activities for persons who are eighteen years of age or 330  
younger by means of sponsoring, organizing, operating, or 331  
contributing to the support of an athletic team, club, league, or 332  
association. 333

(b) The playing fields are not used for any profit-making 334  
activity at any time during the year. 335

(2) It uses the proceeds of bingo it conducts exclusively for 336  
the operation, maintenance, and improvement of its playing fields 337  
of the type described in division (CC)(1) of this section. 338

(DD) "Amateur athletic organization" means any organization, 339  
not organized for profit, that is organized and operated 340  
exclusively to provide financial support to, or to operate, 341  
athletic activities for persons who are training for amateur 342  
athletic competition that is sanctioned by a national governing 343  
body as defined in the "Amateur Sports Act of 1978," 90 Stat. 344  
3045, 36 U.S.C.A. 373. 345

(EE) "Bingo supplies" means bingo cards or sheets; instant 346  
bingo tickets or cards; electronic bingo aids; raffle tickets; 347  
punch boards; seal cards; instant bingo ticket dispensers; and 348  
devices for selecting or displaying the combination of bingo 349  
letters and numbers or raffle tickets. Items that are "bingo 350  
supplies" are not gambling devices if sold or otherwise provided, 351  
and used, in accordance with this chapter. For purposes of this 352  
chapter, "bingo supplies" are not to be considered equipment used 353  
to conduct a bingo game. 354

(FF) "Instant bingo" means a form of bingo that uses folded 355  
or banded tickets or paper cards with perforated break-open tabs, 356  
a face of which is covered or otherwise hidden from view to 357  
conceal a number, letter, or symbol, or set of numbers, letters, 358  
or symbols, some of which have been designated in advance as prize 359

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

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

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

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

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

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

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

(1) The purchase or lease of bingo supplies;

(2) The annual license fee required under section 2915.08 of the Revised Code;	391 392
(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;	393 394
(4) Audits and accounting services;	395
(5) Safes;	396
(6) Cash registers;	397
(7) Hiring security personnel;	398
(8) Advertising bingo;	399
(9) Renting premises in which to conduct a bingo session;	400
(10) Tables and chairs;	401
(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;	402 403 404 405
(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.	406 407 408 409
(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.	410 411 412
(NN) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, <del>or</del> <u>2915.082, or 2915.083</u> of the Revised Code or a charitable gaming license issued by another jurisdiction.	413 414 415 416
(OO) "Suspend" means to interrupt temporarily all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, <del>or</del> <u>2915.082, or 2915.083</u> of the Revised Code or	417 418 419

a charitable gaming license issued by another jurisdiction. 420

(PP) "Distributor" means any person who purchases or obtains 421  
bingo supplies and who does either of the following: 422

(1) Sells, offers for sale, or otherwise provides or offers 423  
to provide the bingo supplies to another person for use in this 424  
state; 425

(2) Modifies, converts, adds to, or removes parts from the 426  
bingo supplies to further their promotion or sale for use in this 427  
state. 428

(QQ) "Manufacturer" means any person who assembles completed 429  
bingo supplies from raw materials, other items, or subparts or who 430  
modifies, converts, adds to, or removes parts from bingo supplies 431  
to further their promotion or sale. 432

(RR) "Gross annual revenues" means the annual gross receipts 433  
derived from the conduct of bingo described in division (S)(1) of 434  
this section plus the annual net profit derived from the conduct 435  
of bingo described in division (S)(2) of this section. 436

(SS) "Instant bingo ticket dispenser" means a mechanical 437  
device that dispenses an instant bingo ticket or card as the sole 438  
item of value dispensed and that has the following 439  
characteristics: 440

(1) It is activated upon the insertion of United States 441  
currency. 442

(2) It performs no gaming functions. 443

(3) It does not contain a video display monitor or generate 444  
noise. 445

(4) It is not capable of displaying any numbers, letters, 446  
symbols, or characters in winning or losing combinations. 447

(5) It does not simulate or display rolling or spinning 448  
reels. 449

(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" ~~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



is capable of accepting anything of value, directly or indirectly, 480  
from or on behalf of a player to conduct or dispense bingo or a 481  
scheme or game of chance. 482

(2) "Slot machine" does not include a skill-based amusement 483  
machine. 484

(WW) "Net profit from the proceeds of the sale of instant 485  
bingo" means gross profit minus the ordinary, necessary, and 486  
reasonable expense expended for the purchase of instant bingo 487  
supplies. 488

(XX) "Charitable instant bingo organization" means an 489  
organization that is exempt from federal income taxation under 490  
subsection 501(a) and described in subsection 501(c)(3) of the 491  
Internal Revenue Code and is a charitable organization as defined 492  
in this section. A "charitable instant bingo organization" does 493  
not include a charitable organization that is exempt from federal 494  
income taxation under subsection 501(a) and described in 495  
subsection 501(c)(3) of the Internal Revenue Code and that is 496  
created by a veteran's organization, a fraternal organization, or 497  
a sporting organization in regards to bingo conducted or assisted 498  
by a veteran's organization, a fraternal organization, or a 499  
sporting organization pursuant to section 2915.13 of the Revised 500  
Code. 501

(YY) "Game flare" means the board or placard that accompanies 502  
each deal of instant bingo tickets and that has printed on or 503  
affixed to it the following information for the game: 504

(1) The name of the game; 505

(2) The manufacturer's name or distinctive logo; 506

(3) The form number; 507

(4) The ticket count; 508

(5) The prize structure, including the number of winning 509

instant bingo tickets by denomination and the respective winning 510  
symbol or number combinations for the winning instant bingo 511  
tickets; 512

(6) The cost per play; 513

(7) The serial number of the game. 514

(ZZ) "Historic railroad educational organization" means an 515  
organization that is exempt from federal income taxation under 516  
subsection 501(a) and described in subsection 501(c)(3) of the 517  
Internal Revenue Code, that owns in fee simple the tracks and the 518  
right of way of a historic railroad that the organization restores 519  
or maintains and on which the organization provides excursions as 520  
part of a program to promote tourism and educate visitors 521  
regarding the role of railroad transportation in Ohio history, and 522  
that received as donations from a charitable organization that 523  
holds a license to conduct bingo under this chapter an amount 524  
equal to at least fifty per cent of that licensed charitable 525  
organization's net proceeds from the conduct of bingo during each 526  
of the five years preceding June 30, 2003. "Historic railroad" 527  
means all or a portion of the tracks and right-of-way of a 528  
railroad that was owned and operated by a for-profit common 529  
carrier in this state at any time prior to January 1, 1950. 530

(AAA)(1) "Skill-based amusement machine" means a skill-based 531  
amusement device, such as a mechanical, electronic, video, or 532  
digital device, or machine, whether or not the skill-based 533  
amusement machine requires payment for use through a coin or bill 534  
validator or other payment of consideration or value to 535  
participate in the machine's offering or to activate the machine, 536  
provided that all of the following apply: 537

(a) The machine involves a task, game, play, contest, 538  
competition, or tournament in which the player actively 539  
participates in the task, game, play, contest, competition, or 540

tournament.	541
(b) The outcome of an individual's play and participation is not determined largely or wholly by chance.	542 543
(c) The outcome of play during a game is not controlled by a person not actively participating in the game.	544 545
(2) All of the following apply to any machine that is operated as described in division (AAA)(1) of this section:	546 547
(a) As used in this section, "task," "game," and "play" mean one event from the initial activation of the machine until the results of play are determined without payment of additional consideration. An individual utilizing a machine that involves a single task, game, play, contest, competition, or tournament may be awarded prizes based on the results of play.	548 549 550 551 552 553
(b) Advance play for a single task, game, play, contest, competition, or tournament participation may be purchased. The cost of the contest, competition, or tournament participation may be greater than a single non-contest, competition, or tournament play.	554 555 556 557 558
(c) To the extent that the machine is used in a contest, competition, or tournament, that contest, competition, or tournament has a defined starting and ending date and is open to participants in competition for scoring and ranking results toward the awarding of prizes that are stated prior to the start of the contest, competition, or tournament.	559 560 561 562 563 564
(BBB) "Pool not conducted for profit" means a scheme in which a participant gives a valuable consideration for a chance to win a prize and the total amount of consideration wagered is distributed to a participant or participants.	565 566 567 568
(CCC) "Sporting organization" means a hunting, fishing, or trapping organization, other than a college or high school	569 570

fraternity or sorority, that is not organized for profit, that is 571  
affiliated with a state or national sporting organization, 572  
including but not limited to, the Ohio ~~League~~ league of sportsmen, 573  
and that has been in continuous existence in this state for a 574  
period of three years. 575

(DDD) "Community action agency" has the same meaning as in 576  
section 122.66 of the Revised Code. 577

**Sec. 2915.02.** (A) No person shall do any of the following: 578

(1) Engage in bookmaking, or knowingly engage in conduct that 579  
facilitates bookmaking; 580

(2) Establish, promote, or operate or knowingly engage in 581  
conduct that facilitates any game of chance conducted for profit 582  
or any scheme of chance; 583

(3) Knowingly procure, transmit, exchange, or engage in 584  
conduct that facilitates the procurement, transmission, or 585  
exchange of information for use in establishing odds or 586  
determining winners in connection with bookmaking or with any game 587  
of chance conducted for profit or any scheme of chance; 588

(4) Engage in betting or in playing any scheme or game of 589  
chance as a substantial source of income or livelihood; 590

(5) With purpose to violate division (A)(1), (2), (3), or (4) 591  
of this section, acquire, possess, control, or operate any 592  
gambling device. 593

(B) For purposes of division (A)(1) of this section, a person 594  
facilitates bookmaking if the person in any way knowingly aids an 595  
illegal bookmaking operation, including, without limitation, 596  
placing a bet with a person engaged in or facilitating illegal 597  
bookmaking. For purposes of division (A)(2) of this section, a 598  
person facilitates a game of chance conducted for profit or a 599  
scheme of chance if the person in any way knowingly aids in the 600

conduct or operation of any such game or scheme, including, 601  
without limitation, playing any such game or scheme. 602

(C) This section does not prohibit conduct in connection with 603  
gambling expressly permitted by law. 604

(D) This section does not apply to any of the following: 605

(1) Games of chance, if all of the following apply: 606

(a) The games of chance are not craps for money or roulette 607  
for money. 608

(b) The games of chance are conducted by a charitable 609  
organization that is, and has received from the internal revenue 610  
service a determination letter that is currently in effect, 611  
stating that the organization is, exempt from federal income 612  
taxation under subsection 501(a) and described in subsection 613  
501(c)(3) of the Internal Revenue Code. 614

(c) The games of chance are conducted at festivals of the 615  
charitable organization that are conducted either for a period of 616  
four consecutive days or less and not more than twice a year or 617  
for a period of five consecutive days not more than once a year, 618  
and are conducted on premises owned by the charitable organization 619  
for a period of no less than one year immediately preceding the 620  
conducting of the games of chance, on premises leased from a 621  
governmental unit, or on premises that are leased from a veteran's 622  
or fraternal organization and that have been owned by the lessor 623  
veteran's or fraternal organization for a period of no less than 624  
one year immediately preceding the conducting of the games of 625  
chance. 626

A charitable organization shall not lease premises from a 627  
veteran's or fraternal organization to conduct a festival 628  
described in division (D)(1)(c) of this section if the veteran's 629  
or fraternal organization already has leased the premises four 630  
times during the preceding year to charitable organizations for 631

that purpose. If a charitable organization leases premises from a 632  
veteran's or fraternal organization to conduct a festival 633  
described in division (D)(1)(c) of this section, the charitable 634  
organization shall not pay a rental rate for the premises per day 635  
of the festival that exceeds the rental rate per bingo session 636  
that a charitable organization may pay under division (B)(1) of 637  
section 2915.09 of the Revised Code when it leases premises from 638  
another charitable organization to conduct bingo games. 639

(d) All of the money or assets received from the games of 640  
chance after deduction only of prizes paid out during the conduct 641  
of the games of chance are used by, or given, donated, or 642  
otherwise transferred to, any organization that is described in 643  
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 644  
Revenue Code and is either a governmental unit or an organization 645  
that is tax exempt under subsection 501(a) and described in 646  
subsection 501(c)(3) of the Internal Revenue Code; 647

(e) The games of chance are not conducted during, or within 648  
ten hours of, a bingo game conducted for amusement purposes only 649  
pursuant to section 2915.12 of the Revised Code. 650

No person shall receive any commission, wage, salary, reward, 651  
tip, donation, gratuity, or other form of compensation, directly 652  
or indirectly, for operating or assisting in the operation of any 653  
game of chance. 654

(2) Any tag fishing tournament operated under a permit issued 655  
under section 1533.92 of the Revised Code, as "tag fishing 656  
tournament" is defined in section 1531.01 of the Revised Code; 657

(3) Bingo conducted by a charitable organization that holds a 658  
license issued under section 2915.08 or 2915.083 of the Revised 659  
Code. 660

(E) Division (D) of this section shall not be construed to 661  
authorize the sale, lease, or other temporary or permanent 662

transfer of the right to conduct games of chance, as granted by 663  
that division, by any charitable organization that is granted that 664  
right. 665

(F) Whoever violates this section is guilty of gambling, a 666  
misdemeanor of the first degree. If the offender previously has 667  
been convicted of any gambling offense, gambling is a felony of 668  
the fifth degree. 669

**Sec. 2915.07.** (A) No person, except a charitable organization 670  
that has obtained a license pursuant to section 2915.08 or 671  
2915.083 of the Revised Code, shall conduct or advertise bingo. 672  
This division does not apply to a raffle that a charitable 673  
organization conducts or advertises. 674

(B) Whoever violates this section is guilty of conducting 675  
illegal bingo, a felony of the fourth degree. 676

**Sec. 2915.081.** (A) No distributor shall sell, offer to sell, 677  
or otherwise provide or offer to provide bingo supplies to another 678  
person, or modify, convert, add to, or remove parts from bingo 679  
supplies to further their promotion or sale, for use in this state 680  
without having obtained a license from the attorney general under 681  
this section. 682

(B) The attorney general may issue a distributor license to 683  
any person that meets the requirements of this section. The 684  
application for the license shall be on a form prescribed by the 685  
attorney general and be accompanied by the annual fee prescribed 686  
by this section. The license is valid for a period of one year, 687  
and the annual fee for the license is five thousand dollars. 688

(C) The attorney general may refuse to issue a distributor 689  
license to any person to which any of the following applies, or to 690  
any person that has an officer, partner, or other person who has 691  
an ownership interest of ten per cent or more and to whom any of 692

the following applies: 693

(1) The person, officer, or partner has been convicted of a 694  
felony under the laws of this state, another state, or the United 695  
States. 696

(2) The person, officer, or partner has been convicted of any 697  
gambling offense. 698

(3) The person, officer, or partner has made an incorrect or 699  
false statement that is material to the granting of a license in 700  
an application submitted to the attorney general under this 701  
section or in a similar application submitted to a gambling 702  
licensing authority in another jurisdiction if the statement 703  
resulted in license revocation through administrative action in 704  
the other jurisdiction. 705

(4) The person, officer, or partner has submitted any 706  
incorrect or false information relating to the application to the 707  
attorney general under this section, if the information is 708  
material to the granting of the license. 709

(5) The person, officer, or partner has failed to correct any 710  
incorrect or false information that is material to the granting of 711  
the license in the records required to be maintained under 712  
division (E) of section 2915.10 of the Revised Code. 713

(6) The person, officer, or partner has had a license related 714  
to gambling revoked or suspended under the laws of this state, 715  
another state, or the United States. 716

(D) The attorney general shall not issue a distributor 717  
license to any person that is involved in the conduct of bingo on 718  
behalf of a charitable organization or that is a lessor of 719  
premises used for the conduct of bingo. This division does not 720  
prohibit a distributor from advising charitable organizations on 721  
the use and benefit of specific bingo supplies or prohibit a 722  
distributor from advising a customer on operational methods to 723



improve bingo profitability. 724

(E)(1) No distributor shall sell, offer to sell, or otherwise 725  
provide or offer to provide bingo supplies to any person, or 726  
modify, convert, add to, or remove parts from bingo supplies to 727  
further their promotion or sale, for use in this state except to 728  
or for the use of a charitable organization that has been issued a 729  
license under section 2915.08 or 2915.083 of the Revised Code or 730  
to another distributor that has been issued a license under this 731  
section. No distributor shall accept payment for the sale or other 732  
provision of bingo supplies other than by check. 733

(2) No distributor may donate, give, loan, lease, or 734  
otherwise provide any bingo supplies or equipment, or modify, 735  
convert, add to, or remove parts from bingo supplies to further 736  
their promotion or sale, to or for the use of a charitable 737  
organization for use in a bingo session conditioned on or in 738  
consideration for an exclusive right to provide bingo supplies to 739  
the charitable organization. A distributor may provide a licensed 740  
charitable organization with free samples of the distributor's 741  
products to be used as prizes or to be used for the purpose of 742  
sampling. 743

(3) No distributor shall purchase bingo supplies for use in 744  
this state from any person except from a manufacturer issued a 745  
license under section 2915.082 of the Revised Code or from another 746  
distributor issued a license under this section. Subject to 747  
division (D) of section 2915.082 of the Revised Code, no 748  
distributor shall pay for purchased bingo supplies other than by 749  
check. 750

(4) No distributor shall participate in the conduct of bingo 751  
on behalf of a charitable organization or have any direct or 752  
indirect ownership interest in a premises used for the conduct of 753  
bingo. 754

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

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

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

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

during a calendar year. 786

(B)(1) The application shall be in the form prescribed by the 787  
attorney general, shall be signed and sworn to by the applicant, 788  
and shall contain the information described in divisions (A)(2)(a) 789  
to (f) of section 2915.08 of the Revised Code. 790

(2) The charitable organization is not required to submit 791  
information on the application other than the information that is 792  
described in divisions (A)(2)(a) to (f) of section 2915.08 of the 793  
Revised Code. 794

(C) Except as otherwise provided in division (D) of this 795  
section, the attorney general shall issue a short-term license to 796  
conduct bingo, instant bingo at a bingo session, or instant bingo 797  
other than at a bingo session to a charitable organization that 798  
timely submits an application under division (A) of this section 799  
within ten business days after receiving the application from the 800  
charitable organization. 801

(D) The attorney general may refuse to grant a short-term 802  
license to conduct bingo, instant bingo at a bingo session, or 803  
instant bingo other than at a bingo session to any charitable 804  
organization, or revoke or suspend the short-term license of any 805  
charitable organization, that does any of the following or to 806  
which any of the following applies: 807

(1) The organization fails or has failed at any time to meet 808  
any requirement of section 109.26, 109.31, or 1716.02, or sections 809  
2915.07 to 2915.11 of the Revised Code, or violates or has 810  
violated any provision of sections 2915.02 or 2915.07 to 2915.13 811  
of the Revised Code or any rule adopted by the attorney general 812  
pursuant to this section. 813

(2) The organization makes or has made an incorrect or false 814  
statement that is material to the granting of the short-term 815  
license to conduct bingo, instant bingo at a bingo session, or 816

instant bingo other than at a bingo session in an application 817  
filed pursuant to division (A) of this section. 818

(3) The organization submits or has submitted any incorrect 819  
or false information relating to an application filed pursuant to 820  
division (A) of this section if the information is material to the 821  
granting of the short-term license to conduct bingo, instant bingo 822  
at a bingo session, or instant bingo other than at a bingo 823  
session. 824

(4) The attorney general has good cause to believe that the 825  
organization will not conduct bingo, instant bingo at a bingo 826  
session, or instant bingo other than at a bingo session in 827  
accordance with sections 2915.07 to 2915.13 of the Revised Code. 828

(E) A short-term license to conduct bingo, instant bingo at a 829  
bingo session, or instant bingo other than at a bingo session 830  
issued by the attorney general shall set forth the information 831  
contained on the application of the charitable organization that 832  
the attorney general determines is relevant, including, but not 833  
limited to, the location at which the organization will conduct 834  
bingo, instant bingo at a bingo session, or instant bingo other 835  
than at a bingo session, and the dates and times on each of those 836  
dates when bingo will be conducted. If the attorney general 837  
refuses to grant or revokes or suspends a short-term license to 838  
conduct bingo, instant bingo at a bingo session, or instant bingo 839  
other than at a bingo session, the attorney general shall notify 840  
the applicant in writing and specifically identify the reason for 841  
the refusal, revocation, or suspension in narrative form and, if 842  
applicable, by identifying the section of the Revised Code 843  
violated. The failure of the attorney general to give the written 844  
notice of the reasons for the refusal, revocation, or suspension 845  
or a mistake in the written notice does not affect the validity of 846  
the attorney general's refusal to grant, or the revocation or 847  
suspension of, a short-term license to conduct bingo, instant 848

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.

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

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

(2) Except as otherwise provided in division (A)(3) of this section, use all of the gross receipts from bingo for paying prizes, for reimbursement of expenses for or for renting premises in which to conduct a bingo session, for reimbursement of expenses for or for purchasing or leasing bingo supplies used in conducting bingo, for reimbursement of expenses for or for hiring security personnel, for reimbursement of expenses for or for advertising bingo, or for reimbursement of other expenses or for other expenses listed in division (LL) of section 2915.01 of the Revised Code, provided that the amount of the receipts so spent is not more than is customary and reasonable for a similar purchase, lease, hiring, advertising, or expense. If the building in which bingo is conducted is owned by the charitable organization conducting bingo and the bingo conducted includes a form of bingo described in division (S)(1) of section 2915.01 of the Revised Code, the charitable organization may deduct from the total amount

of the gross receipts from each session a sum equal to the lesser 880  
of six hundred dollars or forty-five per cent of the gross 881  
receipts from the bingo described in that division as 882  
consideration for the use of the premises. 883

(3) Use, or give, donate, or otherwise transfer, all of the 884  
net profit derived from bingo, other than instant bingo, for a 885  
charitable purpose listed in its license application and described 886  
in division (Z) of section 2915.01 of the Revised Code, or 887  
distribute all of the net profit from the proceeds of the sale of 888  
instant bingo as stated in its license application and in 889  
accordance with section 2915.101 of the Revised Code. 890

(B) No charitable organization that conducts a bingo game 891  
described in division (S)(1) of section 2915.01 of the Revised 892  
Code shall fail to do any of the following: 893

(1) Conduct the bingo game on premises that are owned by the 894  
charitable organization, on premises that are owned by another 895  
charitable organization and leased from that charitable 896  
organization for a rental rate not in excess of the lesser of six 897  
hundred dollars per bingo session or forty-five per cent of the 898  
gross receipts of the bingo session, on premises that are leased 899  
from a person other than a charitable organization for a rental 900  
rate that is not more than is customary and reasonable for 901  
premises that are similar in location, size, and quality but not 902  
in excess of four hundred fifty dollars per bingo session, or on 903  
premises that are owned by a person other than a charitable 904  
organization, that are leased from that person by another 905  
charitable organization, and that are subleased from that other 906  
charitable organization by the charitable organization for a 907  
rental rate not in excess of four hundred fifty dollars per bingo 908  
session. If the charitable organization leases from a person other 909  
than a charitable organization the premises on which it conducts 910  
bingo sessions, the lessor of the premises shall provide only the 911

premises to the organization and shall not provide the 912  
organization with bingo game operators, security personnel, 913  
concessions or concession operators, bingo supplies, or any other 914  
type of service or equipment. A charitable organization shall not 915  
lease or sublease premises that it owns or leases to more than one 916  
other charitable organization per calendar week for the purpose of 917  
conducting bingo sessions on the premises. A person that is not a 918  
charitable organization shall not lease premises that it owns, 919  
leases, or otherwise is empowered to lease to more than one 920  
charitable organization per calendar week for conducting bingo 921  
sessions on the premises. In no case shall more than two bingo 922  
sessions be conducted on any premises in any calendar week. 923

(2) Display its license conspicuously at the premises where 924  
the bingo session is conducted; 925

(3) Conduct the bingo session in accordance with the 926  
definition of bingo set forth in division (S)(1) of section 927  
2915.01 of the Revised Code. 928

(C) No charitable organization that conducts a bingo game 929  
described in division (S)(1) of section 2915.01 of the Revised 930  
Code shall do any of the following: 931

(1) Pay any compensation to a bingo game operator for 932  
operating a bingo session that is conducted by the charitable 933  
organization or for preparing, selling, or serving food or 934  
beverages at the site of the bingo session, permit any auxiliary 935  
unit or society of the charitable organization to pay compensation 936  
to any bingo game operator who prepares, sells, or serves food or 937  
beverages at a bingo session conducted by the charitable 938  
organization, or permit any auxiliary unit or society of the 939  
charitable organization to prepare, sell, or serve food or 940  
beverages at a bingo session conducted by the charitable 941  
organization, if the auxiliary unit or society pays any 942  
compensation to the bingo game operators who prepare, sell, or 943

serve the food or beverages; 944

(2) Pay consulting fees to any person for any services 945  
performed in relation to the bingo session; 946

(3) Pay concession fees to any person who provides 947  
refreshments to the participants in the bingo session; 948

(4) Except as otherwise provided in division (C)(4) of this 949  
section, conduct more than two bingo sessions in any seven-day 950  
period. A volunteer firefighter's organization or a volunteer 951  
rescue service organization that conducts not more than five bingo 952  
sessions in a calendar year may conduct more than two bingo 953  
sessions in a seven-day period after notifying the attorney 954  
general when it will conduct the sessions. 955

(5) Pay out more than three thousand five hundred dollars in 956  
prizes for bingo games described in division (S)(1) of section 957  
2915.01 of the Revised Code during any bingo session that is 958  
conducted by the charitable organization. "Prizes" does not 959  
include awards from the conduct of instant bingo. 960

(6) Conduct a bingo session at any time during the ten-hour 961  
period between midnight and ten a.m., at any time during, or 962  
within ten hours of, a bingo game conducted for amusement only 963  
pursuant to section 2915.12 of the Revised Code, at any premises 964  
not specified on its license, or on any day of the week or during 965  
any time period not specified on its license. Division (A)(6) of 966  
this section does not prohibit the sale of instant bingo tickets 967  
beginning at nine a.m. for a bingo session that begins at ten a.m. 968  
~~if~~ 969

If circumstances make it impractical for ~~the~~ a charitable 970  
organization that is issued a license under section 2915.08 of the 971  
Revised Code to conduct a bingo session at the premises, or on the 972  
day of the week or at the time, specified on its license or if 973  
such a charitable organization wants to conduct bingo sessions on 974



a day of the week or at a time other than the day or time 975  
specified on its license, the charitable organization may apply in 976  
writing to the attorney general for an amended license pursuant to 977  
division (F) of section 2915.08 of the Revised Code. A charitable 978  
organization may apply twice in each calendar year for an amended 979  
license to conduct bingo sessions on a day of the week or at a 980  
time other than the day or time specified on its license. If the 981  
amended license is granted, the organization may conduct bingo 982  
sessions at the premises, on the day of the week, and at the time 983  
specified on its amended license. 984

(7) Permit any person whom the charitable organization knows, 985  
or should have known, is under the age of eighteen to work as a 986  
bingo game operator; 987

(8) Permit any person whom the charitable organization knows, 988  
or should have known, has been convicted of a felony or gambling 989  
offense in any jurisdiction to be a bingo game operator; 990

(9) Permit the lessor of the premises on which the bingo 991  
session is conducted, if the lessor is not a charitable 992  
organization, to provide the charitable organization with bingo 993  
game operators, security personnel, concessions, bingo supplies, 994  
or any other type of service or equipment; 995

(10) Purchase or lease bingo supplies from any person except 996  
a distributor issued a license under section 2915.081 of the 997  
Revised Code; 998

(11)(a) Use or permit the use of electronic bingo aids except 999  
under the following circumstances: 1000

(i) For any single participant, not more than ninety bingo 1001  
faces can be played using an electronic bingo aid or aids. 1002

(ii) The charitable organization shall provide a participant 1003  
using an electronic bingo aid with corresponding paper bingo cards 1004  
or sheets. 1005

(iii) The total price of bingo faces played with an 1006  
electronic bingo aid shall be equal to the total price of the same 1007  
number of bingo faces played with a paper bingo card or sheet sold 1008  
at the same bingo session but without an electronic bingo aid. 1009

(iv) An electronic bingo aid cannot be part of an electronic 1010  
network other than a network that includes only bingo aids and 1011  
devices that are located on the premises at which the bingo is 1012  
being conducted or be interactive with any device not located on 1013  
the premises at which the bingo is being conducted. 1014

(v) An electronic bingo aid cannot be used to participate in 1015  
bingo that is conducted at a location other than the location at 1016  
which the bingo session is conducted and at which the electronic 1017  
bingo aid is used. 1018

(vi) An electronic bingo aid cannot be used to provide for 1019  
the input of numbers and letters announced by a bingo caller other 1020  
than the bingo caller who physically calls the numbers and letters 1021  
at the location at which the bingo session is conducted and at 1022  
which the electronic bingo aid is used. 1023

(b) The attorney general may adopt rules in accordance with 1024  
Chapter 119. of the Revised Code that govern the use of electronic 1025  
bingo aids. The rules may include a requirement that an electronic 1026  
bingo aid be capable of being audited by the attorney general to 1027  
verify the number of bingo cards or sheets played during each 1028  
bingo session. 1029

(12) Permit any person the charitable organization knows, or 1030  
should have known, to be under eighteen years of age to play bingo 1031  
described in division (S)(1) of section 2915.01 of the Revised 1032  
Code. 1033

(D)(1) Except as otherwise provided in division (D)(3) of 1034  
this section, no charitable organization shall provide to a bingo 1035  
game operator, and no bingo game operator shall receive or accept, 1036

any commission, wage, salary, reward, tip, donation, gratuity, or 1037  
other form of compensation, directly or indirectly, regardless of 1038  
the source, for conducting bingo or providing other work or labor 1039  
at the site of bingo during a bingo session. 1040

(2) Except as otherwise provided in division (D)(3) of this 1041  
section, no charitable organization shall provide to a bingo game 1042  
operator any commission, wage, salary, reward, tip, donation, 1043  
gratuity, or other form of compensation, directly or indirectly, 1044  
regardless of the source, for conducting instant bingo other than 1045  
at a bingo session at the site of instant bingo other than at a 1046  
bingo session. 1047

(3) Nothing in division (D) of this section prohibits an 1048  
employee of a fraternal organization, veteran's organization, or 1049  
sporting organization from selling instant bingo tickets or cards 1050  
to the organization's members or invited guests, as long as no 1051  
portion of the employee's compensation is paid from any receipts 1052  
of bingo. 1053

(E) Notwithstanding division (B)(1) of this section, a 1054  
charitable organization that, prior to December 6, 1977, has 1055  
entered into written agreements for the lease of premises it owns 1056  
to another charitable organization or other charitable 1057  
organizations for the conducting of bingo sessions so that more 1058  
than two bingo sessions are conducted per calendar week on the 1059  
premises, and a person that is not a charitable organization and 1060  
that, prior to December 6, 1977, has entered into written 1061  
agreements for the lease of premises it owns to charitable 1062  
organizations for the conducting of more than two bingo sessions 1063  
per calendar week on the premises, may continue to lease the 1064  
premises to those charitable organizations, provided that no more 1065  
than four sessions are conducted per calendar week, that the 1066  
lessor organization or person has notified the attorney general in 1067  
writing of the organizations that will conduct the sessions and 1068

the days of the week and the times of the day on which the 1069  
sessions will be conducted, that the initial lease entered into 1070  
with each organization that will conduct the sessions was filed 1071  
with the attorney general prior to December 6, 1977, and that each 1072  
organization that will conduct the sessions was issued a license 1073  
to conduct bingo games by the attorney general prior to December 1074  
6, 1977. 1075

(F) This section does not prohibit a bingo licensed 1076  
charitable organization or a game operator from giving any person 1077  
an instant bingo ticket as a prize. 1078

(G) Whoever violates division (A)(2) of this section is 1079  
guilty of illegally conducting a bingo game, a felony of the 1080  
fourth degree. Except as otherwise provided in this division, 1081  
whoever violates division (A)(1) or (3), (B)(1), (2), or (3), 1082  
(C)(1) to (12), or (D) of this section is guilty of a minor 1083  
misdemeanor. If the offender previously has been convicted of a 1084  
violation of division (A)(1) or (3), (B)(1), (2), or (3), (C)(1) 1085  
to (11), or (D) of this section, a violation of division (A)(1) 1086  
or (3), (B)(1), (2), or (3), (C), or (D) of this section is a 1087  
misdemeanor of the first degree. Whoever violates division (C)(12) 1088  
of this section is guilty of a misdemeanor of the first degree, if 1089  
the offender previously has been convicted of a violation of 1090  
division (C)(12) of this section, a felony of the fourth degree. 1091

**Sec. 2915.091.** (A) No charitable organization that conducts 1092  
instant bingo shall do any of the following: 1093

(1) Fail to comply with the requirements of divisions (A)(1), 1094  
(2), and (3) of section 2915.09 of the Revised Code; 1095

(2) Conduct instant bingo unless either of the following 1096  
apply: 1097

(a) That organization is, and has received from the internal 1098

revenue service a determination letter that is currently in effect 1099  
stating that the organization is, exempt from federal income 1100  
taxation under subsection 501(a), is described in subsection 1101  
501(c)(3) of the Internal Revenue Code, is a charitable 1102  
organization as defined in section 2915.01 of the Revised Code, is 1103  
in good standing in the state pursuant to section 2915.08 or 1104  
2915.083 of the Revised Code, and is in compliance with Chapter 1105  
1716. of the Revised Code; 1106

(b) That organization is, and has received from the internal 1107  
revenue service a determination letter that is currently in effect 1108  
stating that the organization is, exempt from federal income 1109  
taxation under subsection 501(a), is described in subsection 1110  
501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is a veteran's 1111  
organization described in subsection 501(c)(4) of the Internal 1112  
Revenue Code, and conducts instant bingo under section 2915.13 of 1113  
the Revised Code. 1114

(3) Conduct instant bingo on any day, at any time, or at any 1115  
premises not specified on the organization's license issued 1116  
pursuant to section 2915.08 or 2915.083 of the Revised Code; 1117

(4) Permit any person whom the organization knows or should 1118  
have known has been convicted of a felony or gambling offense in 1119  
any jurisdiction to be a bingo game operator in the conduct of 1120  
instant bingo; 1121

(5) Purchase or lease supplies used to conduct instant bingo 1122  
or punch board games from any person except a distributor licensed 1123  
under section 2915.081 of the Revised Code; 1124

(6) Sell or provide any instant bingo ticket or card for a 1125  
price different from the price printed on it by the manufacturer 1126  
on either the instant bingo ticket or card or on the game flare; 1127

(7) Sell an instant bingo ticket or card to a person under 1128  
eighteen years of age; 1129

- (8) Fail to keep unsold instant bingo tickets or cards for less than three years; 1130  
1131
- (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; 1132  
1133  
1134  
1135  
1136  
1137  
1138  
1139  
1140  
1141  
1142  
1143
- (10) Pay fees to any person for any services performed in relation to an instant bingo game; 1144  
1145
- (11) Pay fees to any person who provides refreshments to the participants in an instant bingo game; 1146  
1147
- (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; 1148  
1149  
1150  
1151  
1152
- (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~~ ticket as a prize. 1153  
1154  
1155
- (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; 1156  
1157  
1158  
1159
- (14) Possess a deal of instant bingo tickets or cards that 1160

was not purchased from a distributor licensed under section 1161  
2915.081 of the Revised Code as reflected on an invoice issued by 1162  
the distributor that contains all of the information required by 1163  
division (E) of section 2915.10 of the Revised Code; 1164

(15) Fail, once it opens a deal of instant bingo tickets or 1165  
cards, to continue to sell the tickets or cards in that deal until 1166  
the tickets or cards with the top two highest tiers of prizes in 1167  
that deal are sold; 1168

(16) Purchase, lease, or use instant bingo ticket dispensers 1169  
to sell instant bingo tickets or cards; 1170

(17) Possess bingo supplies that were not obtained in 1171  
accordance with sections 2915.01 to 2915.13 of the Revised Code. 1172

(B) A charitable organization may conduct instant bingo other 1173  
than at a bingo session at not more than five separate locations. 1174  
A charitable organization that is exempt from federal taxation 1175  
under subsection 501(a) and described in subsection 501(c)(3) of 1176  
the Internal Revenue Code and that is created by a veteran's 1177  
organization or a fraternal organization is not limited in the 1178  
number of separate locations the charitable organization may 1179  
conduct instant bingo other than at a bingo session. 1180

(C) The attorney general may adopt rules in accordance with 1181  
Chapter 119. of the Revised Code that govern the conduct of 1182  
instant bingo by charitable organizations. Before those rules are 1183  
adopted, the attorney general shall reference the recommended 1184  
standards for opacity, randomization, minimum information, winner 1185  
protection, color, and cutting for instant bingo tickets or cards, 1186  
seal cards, and punch boards established by the North American 1187  
gaming regulators association. 1188

(D) Whoever violates division (A) of this section or a rule 1189  
adopted under division (C) of this section is guilty of illegal 1190  
instant bingo conduct. Except as otherwise provided in this 1191

division, illegal instant bingo conduct is a misdemeanor of the 1192  
first degree. If the offender previously has been convicted of a 1193  
violation of division (A) of this section or of such a rule, 1194  
illegal instant bingo conduct is a felony of the fifth degree. 1195

**Section 2.** That existing sections 109.32, 2915.01, 2915.02, 1196  
2915.07, 2915.081, 2915.09, and 2915.091 of the Revised Code are 1197  
hereby repealed. 1198