

As Introduced

**127th General Assembly
Regular Session
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H. B. No. 513

Representative Huffman

Cosponsors: Representatives Zehringer, Yuko

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A B I L L

To amend section 2915.01 of the Revised Code to 1
designate a community development corporation 2
organization as a charitable organization eligible 3
to be issued a bingo license. 4

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

Section 1. That section 2915.01 of the Revised Code be 5
amended to read as follows: 6

Sec. 2915.01. As used in this chapter: 7

(A) "Bookmaking" means the business of receiving or paying 8
off bets. 9

(B) "Bet" means the hazarding of anything of value upon the 10
result of an event, undertaking, or contingency, but does not 11
include a bona fide business risk. 12

(C) "Scheme of chance" means a slot machine, lottery, numbers 13
game, pool conducted for profit, or other scheme in which a 14
participant gives a valuable consideration for a chance to win a 15
prize, but does not include bingo, a skill-based amusement 16
machine, or a pool not conducted for profit. 17

(D) "Game of chance" means poker, craps, roulette, or other 18

game in which a player gives anything of value in the hope of 19
gain, the outcome of which is determined largely by chance, but 20
does not include bingo. 21

(E) "Game of chance conducted for profit" means any game of 22
chance designed to produce income for the person who conducts or 23
operates the game of chance, but does not include bingo. 24

(F) "Gambling device" means any of the following: 25

(1) A book, totalizer, or other equipment for recording bets; 26

(2) A ticket, token, or other device representing a chance, 27
share, or interest in a scheme of chance or evidencing a bet; 28

(3) A deck of cards, dice, gaming table, roulette wheel, slot 29
machine, or other apparatus designed for use in connection with a 30
game of chance; 31

(4) Any equipment, device, apparatus, or paraphernalia 32
specially designed for gambling purposes; 33

(5) Bingo supplies sold or otherwise provided, or used, in 34
violation of this chapter. 35

(G) "Gambling offense" means any of the following: 36

(1) A violation of section 2915.02, 2915.03, 2915.04, 37
2915.05, 2915.06, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 38
2915.091, 2915.092, 2915.10, or 2915.11 of the Revised Code; 39

(2) A violation of an existing or former municipal ordinance 40
or law of this or any other state or the United States 41
substantially equivalent to any section listed in division (G)(1) 42
of this section or a violation of section 2915.06 of the Revised 43
Code as it existed prior to July 1, 1996; 44

(3) An offense under an existing or former municipal 45
ordinance or law of this or any other state or the United States, 46
of which gambling is an element; 47

(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (G)(1), (2), or (3) of this section. 48
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(H) Except as otherwise provided in this chapter, "charitable organization" means any tax exempt religious, educational, veteran's, fraternal, sporting, service, nonprofit medical, volunteer rescue service, volunteer firefighter's, senior citizen's, historic railroad educational, youth athletic, amateur athletic, or youth athletic park organization or a community development corporation. An organization is tax exempt if the organization is, and has received from the internal revenue service a determination letter that currently is in effect stating that the organization is, exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, or if the organization is a sporting organization that is exempt from federal income taxation under subsection 501(a) and is described in subsection 501(c)(7) of the Internal Revenue Code. To qualify as a charitable organization, an organization, except a volunteer rescue service or volunteer firefighter's organization, shall have been in continuous existence as such in this state for a period of two years immediately preceding either the making of an application for a bingo license under section 2915.08 of the Revised Code or the conducting of any game of chance as provided in division (D) of section 2915.02 of the Revised Code. A charitable organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code and that is created by a veteran's organization, a fraternal organization, or a sporting organization does not have to have been in continuous existence as such in this state for a period of two years immediately preceding either the making of an application for a bingo license under section 2915.08 of the 51
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Revised Code or the conducting of any game of chance as provided 81
in division (D) of section 2915.02 of the Revised Code. 82

(I) "Religious organization" means any church, body of 83
communicants, or group that is not organized or operated for 84
profit and that gathers in common membership for regular worship 85
and religious observances. 86

(J) "Educational organization" means any organization within 87
this state that is not organized for profit, the primary purpose 88
of which is to educate and develop the capabilities of individuals 89
through instruction by means of operating or contributing to the 90
support of a school, academy, college, or university. 91

(K) "Veteran's organization" means any individual post or 92
state headquarters of a national veteran's association or an 93
auxiliary unit of any individual post of a national veteran's 94
association, which post, state headquarters, or auxiliary unit has 95
been in continuous existence in this state for at least two years 96
and incorporated as a nonprofit corporation and either has 97
received a letter from the state headquarters of the national 98
veteran's association indicating that the individual post or 99
auxiliary unit is in good standing with the national veteran's 100
association or has received a letter from the national veteran's 101
association indicating that the state headquarters is in good 102
standing with the national veteran's association. As used in this 103
division, "national veteran's association" means any veteran's 104
association that has been in continuous existence as such for a 105
period of at least five years and either is incorporated by an act 106
of the United States congress or has a national dues-paying 107
membership of at least five thousand persons. 108

(L) "Volunteer firefighter's organization" means any 109
organization of volunteer firefighters, as defined in section 110
146.01 of the Revised Code, that is organized and operated 111
exclusively to provide financial support for a volunteer fire 112

department or a volunteer fire company and that is recognized or 113
ratified by a county, municipal corporation, or township. 114

(M) "Fraternal organization" means any society, order, state 115
headquarters, or association within this state, except a college 116
or high school fraternity, that is not organized for profit, that 117
is a branch, lodge, or chapter of a national or state 118
organization, that exists exclusively for the common business or 119
sodality of its members, and that has been in continuous existence 120
in this state for a period of five years. 121

(N) "Volunteer rescue service organization" means any 122
organization of volunteers organized to function as an emergency 123
medical service organization, as defined in section 4765.01 of the 124
Revised Code. 125

(O) "Service organization" means either of the following: 126

(1) Any organization, not organized for profit, that is 127
organized and operated exclusively to provide, or to contribute to 128
the support of organizations or institutions organized and 129
operated exclusively to provide, medical and therapeutic services 130
for persons who are crippled, born with birth defects, or have any 131
other mental or physical defect or those organized and operated 132
exclusively to protect, or to contribute to the support of 133
organizations or institutions organized and operated exclusively 134
to protect, animals from inhumane treatment or provide immediate 135
shelter to victims of domestic violence; 136

(2) Any organization that is described in subsection 137
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 138
and is either a governmental unit or an organization that is tax 139
exempt under subsection 501(a) and described in subsection 140
501(c)(3) of the Internal Revenue Code and that is an 141
organization, not organized for profit, that is organized and 142
operated primarily to provide, or to contribute to the support of 143

organizations or institutions organized and operated primarily to 144
provide, medical and therapeutic services for persons who are 145
crippled, born with birth defects, or have any other mental or 146
physical defect. 147

(P) "Nonprofit medical organization" means either of the 148
following: 149

(1) Any organization that has been incorporated as a 150
nonprofit corporation for at least five years and that has 151
continuously operated and will be operated exclusively to provide, 152
or to contribute to the support of organizations or institutions 153
organized and operated exclusively to provide, hospital, medical, 154
research, or therapeutic services for the public; 155

(2) Any organization that is described and qualified under 156
subsection 501(c)(3) of the Internal Revenue Code, that has been 157
incorporated as a nonprofit corporation for at least five years, 158
and that has continuously operated and will be operated primarily 159
to provide, or to contribute to the support of organizations or 160
institutions organized and operated primarily to provide, 161
hospital, medical, research, or therapeutic services for the 162
public. 163

(Q) "Senior citizen's organization" means any private 164
organization, not organized for profit, that is organized and 165
operated exclusively to provide recreational or social services 166
for persons who are fifty-five years of age or older and that is 167
described and qualified under subsection 501(c)(3) of the Internal 168
Revenue Code. 169

(R) "Charitable bingo game" means any bingo game described in 170
division (S)(1) or (2) of this section that is conducted by a 171
charitable organization that has obtained a license pursuant to 172
section 2915.08 of the Revised Code and the proceeds of which are 173
used for a charitable purpose. 174

(S) "Bingo" means either of the following:	175
(1) A game with all of the following characteristics:	176
(a) The participants use bingo cards or sheets, including paper formats and electronic representation or image formats, that are divided into twenty-five spaces arranged in five horizontal and five vertical rows of spaces, with each space, except the central space, being designated by a combination of a letter and a number and with the central space being designated as a free space.	177 178 179 180 181 182 183
(b) The participants cover the spaces on the bingo cards or sheets that correspond to combinations of letters and numbers that are announced by a bingo game operator.	184 185 186
(c) A bingo game operator announces combinations of letters and numbers that appear on objects that a bingo game operator selects by chance, either manually or mechanically, from a receptacle that contains seventy-five objects at the beginning of each game, each object marked by a different combination of a letter and a number that corresponds to one of the seventy-five possible combinations of a letter and a number that can appear on the bingo cards or sheets.	187 188 189 190 191 192 193 194
(d) The winner of the bingo game includes any participant who properly announces during the interval between the announcements of letters and numbers as described in division (S)(1)(c) of this section, that a predetermined and preannounced pattern of spaces has been covered on a bingo card or sheet being used by the participant.	195 196 197 198 199 200
(2) Instant bingo, punch boards, and raffles.	201
(T) "Conduct" means to back, promote, organize, manage, carry on, sponsor, or prepare for the operation of bingo or a game of chance.	202 203 204

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

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

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

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

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

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

(1) The auxiliary unit or society has been in existence as a bona fide auxiliary unit or society of the charitable organization

for at least two years prior to conducting bingo.	236
(2) The person who purchases the food or beverage receives	237
nothing of value except the food or beverage and items customarily	238
received with the purchase of that food or beverage.	239
(3) The food and beverages are sold at customary and	240
reasonable prices.	241
(Y) "Security personnel" includes any person who either is a	242
sheriff, deputy sheriff, marshal, deputy marshal, township	243
constable, or member of an organized police department of a	244
municipal corporation or has successfully completed a peace	245
officer's training course pursuant to sections 109.71 to 109.79 of	246
the Revised Code and who is hired to provide security for the	247
premises on which bingo is conducted.	248
(Z) "Charitable purpose" means that the net profit of bingo,	249
other than instant bingo, is used by, or is given, donated, or	250
otherwise transferred to, any of the following:	251
(1) Any organization that is described in subsection	252
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code	253
and is either a governmental unit or an organization that is tax	254
exempt under subsection 501(a) and described in subsection	255
501(c)(3) of the Internal Revenue Code;	256
(2) A veteran's organization that is a post, chapter, or	257
organization of veterans, or an auxiliary unit or society of, or a	258
trust or foundation for, any such post, chapter, or organization	259
organized in the United States or any of its possessions, at least	260
seventy-five per cent of the members of which are veterans and	261
substantially all of the other members of which are individuals	262
who are spouses, widows, or widowers of veterans, or such	263
individuals, provided that no part of the net earnings of such	264
post, chapter, or organization inures to the benefit of any	265
private shareholder or individual, and further provided that the	266

net profit is used by the post, chapter, or organization for the 267
charitable purposes set forth in division (B)(12) of section 268
5739.02 of the Revised Code, is used for awarding scholarships to 269
or for attendance at an institution mentioned in division (B)(12) 270
of section 5739.02 of the Revised Code, is donated to a 271
governmental agency, or is used for nonprofit youth activities, 272
the purchase of United States or Ohio flags that are donated to 273
schools, youth groups, or other bona fide nonprofit organizations, 274
promotion of patriotism, or disaster relief; 275

(3) A fraternal organization that has been in continuous 276
existence in this state for fifteen years and that uses the net 277
profit exclusively for religious, charitable, scientific, 278
literary, or educational purposes, or for the prevention of 279
cruelty to children or animals, if contributions for such use 280
would qualify as a deductible charitable contribution under 281
subsection 170 of the Internal Revenue Code; 282

(4) A volunteer firefighter's organization that uses the net 283
profit for the purposes set forth in division (L) of this section. 284

(AA) "Internal Revenue Code" means the "Internal Revenue Code 285
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 286
amended. 287

(BB) "Youth athletic organization" means any organization, 288
not organized for profit, that is organized and operated 289
exclusively to provide financial support to, or to operate, 290
athletic activities for persons who are twenty-one years of age or 291
younger by means of sponsoring, organizing, operating, or 292
contributing to the support of an athletic team, club, league, or 293
association. 294

(CC) "Youth athletic park organization" means any 295
organization, not organized for profit, that satisfies both of the 296
following: 297

(1) It owns, operates, and maintains playing fields that	298
satisfy both of the following:	299
(a) The playing fields are used at least one hundred days per	300
year for athletic activities by one or more organizations, not	301
organized for profit, each of which is organized and operated	302
exclusively to provide financial support to, or to operate,	303
athletic activities for persons who are eighteen years of age or	304
younger by means of sponsoring, organizing, operating, or	305
contributing to the support of an athletic team, club, league, or	306
association.	307
(b) The playing fields are not used for any profit-making	308
activity at any time during the year.	309
(2) It uses the proceeds of bingo it conducts exclusively for	310
the operation, maintenance, and improvement of its playing fields	311
of the type described in division (CC)(1) of this section.	312
(DD) "Amateur athletic organization" means any organization,	313
not organized for profit, that is organized and operated	314
exclusively to provide financial support to, or to operate,	315
athletic activities for persons who are training for amateur	316
athletic competition that is sanctioned by a national governing	317
body as defined in the "Amateur Sports Act of 1978," 90 Stat.	318
3045, 36 U.S.C.A. 373.	319
(EE) "Bingo supplies" means bingo cards or sheets; instant	320
bingo tickets or cards; electronic bingo aids; raffle tickets;	321
punch boards; seal cards; instant bingo ticket dispensers; and	322
devices for selecting or displaying the combination of bingo	323
letters and numbers or raffle tickets. Items that are "bingo	324
supplies" are not gambling devices if sold or otherwise provided,	325
and used, in accordance with this chapter. For purposes of this	326
chapter, "bingo supplies" are not to be considered equipment used	327
to conduct a bingo game.	328

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

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

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

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

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

(KK) "Net profit" means gross profit minus expenses.	361
(LL) "Expenses" means the reasonable amount of gross profit actually expended for all of the following:	362 363
(1) The purchase or lease of bingo supplies;	364
(2) The annual license fee required under section 2915.08 of the Revised Code;	365 366
(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;	367 368
(4) Audits and accounting services;	369
(5) Safes;	370
(6) Cash registers;	371
(7) Hiring security personnel;	372
(8) Advertising bingo;	373
(9) Renting premises in which to conduct a bingo session;	374
(10) Tables and chairs;	375
(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;	376 377 378 379
(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.	380 381 382 383
(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.	384 385 386
(NN) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section	387 388

2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction. 389
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(OO) "Suspend" means to interrupt temporarily all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction. 391
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(PP) "Distributor" means any person who purchases or obtains bingo supplies and who does either of the following: 395
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(1) Sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person for use in this state; 397
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(2) Modifies, converts, adds to, or removes parts from the bingo supplies to further their promotion or sale for use in this state. 400
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(QQ) "Manufacturer" means any person who assembles completed bingo supplies from raw materials, other items, or subparts or who modifies, converts, adds to, or removes parts from bingo supplies to further their promotion or sale. 403
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(RR) "Gross annual revenues" means the annual gross receipts derived from the conduct of bingo described in division (S)(1) of this section plus the annual net profit derived from the conduct of bingo described in division (S)(2) of this section. 407
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(SS) "Instant bingo ticket dispenser" means a mechanical device that dispenses an instant bingo ticket or card as the sole item of value dispensed and that has the following characteristics: 411
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(1) It is activated upon the insertion of United States currency. 415
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(2) It performs no gaming functions. 417

(3) It does not contain a video display monitor or generate 418

noise.	419
(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations.	420 421
(5) It does not simulate or display rolling or spinning reels.	422 423
(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.	424 425 426 427
(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses.	428 429
(8) It is not part of an electronic network and is not interactive.	430 431
(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:	432 433 434 435
(a) It provides a means for a participant to input numbers and letters announced by a bingo caller.	436 437
(b) It compares the numbers and letters entered by the participant to the bingo faces previously stored in the memory of the device.	438 439 440
(c) It identifies a winning bingo pattern.	441
(2) "Electronic bingo aid" does not include any device into which a coin, currency, token, or an equivalent is inserted to activate play.	442 443 444
(UU) "Deal of instant bingo tickets" means a single game of instant bingo tickets all with the same serial number.	445 446
(VV)(1) "Slot machine" means either of the following:	447

(a) Any mechanical, electronic, video, or digital device that 448
is capable of accepting anything of value, directly or indirectly, 449
from or on behalf of a player who gives the thing of value in the 450
hope of gain; 451

(b) Any mechanical, electronic, video, or digital device that 452
is capable of accepting anything of value, directly or indirectly, 453
from or on behalf of a player to conduct or dispense bingo or a 454
scheme or game of chance. 455

(2) "Slot machine" does not include a skill-based amusement 456
machine. 457

(WW) "Net profit from the proceeds of the sale of instant 458
bingo" means gross profit minus the ordinary, necessary, and 459
reasonable expense expended for the purchase of instant bingo 460
supplies. 461

(XX) "Charitable instant bingo organization" means an 462
organization that is exempt from federal income taxation under 463
subsection 501(a) and described in subsection 501(c)(3) of the 464
Internal Revenue Code and is a charitable organization as defined 465
in this section. A "charitable instant bingo organization" does 466
not include a charitable organization that is exempt from federal 467
income taxation under subsection 501(a) and described in 468
subsection 501(c)(3) of the Internal Revenue Code and that is 469
created by a veteran's organization, a fraternal organization, or 470
a sporting organization in regards to bingo conducted or assisted 471
by a veteran's organization, a fraternal organization, or a 472
sporting organization pursuant to section 2915.13 of the Revised 473
Code. 474

(YY) "Game flare" means the board or placard that accompanies 475
each deal of instant bingo tickets and that has printed on or 476
affixed to it the following information for the game: 477

(1) The name of the game; 478

(2) The manufacturer's name or distinctive logo;	479
(3) The form number;	480
(4) The ticket count;	481
(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;	482 483 484 485
(6) The cost per play;	486
(7) The serial number of the game.	487
(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.	488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503
(AAA)(1) "Skill-based amusement machine" means a mechanical, video, digital, or electronic device that rewards the player or players, if at all, only with merchandise prizes or with redeemable vouchers redeemable only for merchandise prizes, provided that with respect to rewards for playing the game all of the following apply:	504 505 506 507 508 509

(a) The wholesale value of a merchandise prize awarded as a result of the single play of a machine does not exceed ten dollars;

(b) Redeemable vouchers awarded for any single play of a machine are not redeemable for a merchandise prize with a wholesale value of more than ten dollars;

(c) Redeemable vouchers are not redeemable for a merchandise prize that has a wholesale value of more than ten dollars times the fewest number of single plays necessary to accrue the redeemable vouchers required to obtain that prize; and

(d) Any redeemable vouchers or merchandise prizes are distributed at the site of the skill-based amusement machine at the time of play.

(2) A device shall not be considered a skill-based amusement machine and shall be considered a slot machine if it pays cash or one or more of the following apply:

(a) The ability of a player to succeed at the game is impacted by the number or ratio of prior wins to prior losses of players playing the game.

(b) Any reward of redeemable vouchers is not based solely on the player achieving the object of the game or the ~~players~~ player's score;

(c) The outcome of the game, or the value of the redeemable voucher or merchandise prize awarded for winning the game, can be controlled by a source other than any player playing the game.

(d) The success of any player is or may be determined by a chance event that cannot be altered by player actions.

(e) The ability of any player to succeed at the game is determined by game features not visible or known to the player.

(f) The ability of the player to succeed at the game is

impacted by the exercise of a skill that no reasonable player 540
could exercise. 541

(3) All of the following apply to any machine that is 542
operated as described in division (AAA)(1) of this section: 543

(a) As used in this section, "game" and "play" mean one event 544
from the initial activation of the machine until the results of 545
play are determined without payment of additional consideration. 546
An individual utilizing a machine that involves a single game, 547
play, contest, competition, or tournament may be awarded 548
redeemable vouchers or merchandise prizes based on the results of 549
play. 550

(b) Advance play for a single game, play, contest, 551
competition, or tournament participation may be purchased. The 552
cost of the contest, competition, or tournament participation may 553
be greater than a single noncontest, competition, or tournament 554
play. 555

(c) To the extent that the machine is used in a contest, 556
competition, or tournament, that contest, competition, or 557
tournament has a defined starting and ending date and is open to 558
participants in competition for scoring and ranking results toward 559
the awarding of redeemable vouchers or merchandise prizes that are 560
stated prior to the start of the contest, competition, or 561
tournament. 562

(4) For purposes of division (AAA)(1) of this section, the 563
mere presence of a device, such as a pin-setting, ball-releasing, 564
or scoring mechanism, that does not contribute to or affect the 565
outcome of the play of the game does not make the device a 566
skill-based amusement machine. 567

(BBB) "Merchandise prize" means any item of value, but shall 568
not include any of the following: 569

(1) Cash, gift cards, or any equivalent thereof; 570

(2) Plays on games of chance, state lottery tickets, bingo, 571
or instant bingo; 572

(3) Firearms, tobacco, or alcoholic beverages; or 573

(4) A redeemable voucher that is redeemable for any of the 574
items listed in division (BBB)(1), (2), or (3) of this section. 575

(CCC) "Redeemable voucher" means any ticket, token, coupon, 576
receipt, or other noncash representation of value. 577

(DDD) "Pool not conducted for profit" means a scheme in which 578
a participant gives a valuable consideration for a chance to win a 579
prize and the total amount of consideration wagered is distributed 580
to a participant or participants. 581

(EEE) "Sporting organization" means a hunting, fishing, or 582
trapping organization, other than a college or high school 583
fraternity or sorority, that is not organized for profit, that is 584
affiliated with a state or national sporting organization, 585
including but not limited to, the Ohio league of sportsmen, and 586
that has been in continuous existence in this state for a period 587
of three years. 588

(FFF) "Community action agency" has the same meaning as in 589
section 122.66 of the Revised Code. 590

(GGG) "Community development corporation" means a 591
not-for-profit organization incorporated to provide programs, 592
offer services, and engage in other activities to support a 593
community including, but not limited to, serving low-income 594
residents or struggling neighborhoods of the community, developing 595
affordable housing in the community, creating jobs for community 596
residents through lending or commercial development projects, and 597
encouraging economic development and education in the community. 598

Section 2. That existing section 2915.01 of the Revised Code 599
is hereby repealed. 600