

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**S. B. No. 169**

**Senator Grendell**

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**A B I L L**

To amend sections 2915.01, 2915.08, 2915.081, 1  
2915.09, 2915.095, 2915.101, and 2915.12 and to 2  
enact sections 2915.083 and 2915.096 of the 3  
Revised Code to permit veterans, fraternal, and 4  
sporting organizations to conduct charitable 5  
electronic instant bingo. 6

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

**Section 1.** That sections 2915.01, 2915.08, 2915.081, 2915.09, 7  
2915.095, 2915.101, and 2915.12 be amended and sections 2915.083 8  
and 2915.096 of the Revised Code be enacted to read as follows: 9

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**Sec. 2915.01.** As used in this chapter: 11

(A) "Bookmaking" means the business of receiving or paying 12  
off bets. 13

(B) "Bet" means the hazarding of anything of value upon the 14  
result of an event, undertaking, or contingency, but does not 15  
include a bona fide business risk. 16

(C) "Scheme of chance" means a slot machine, lottery, numbers 17  
game, pool conducted for profit, or other scheme in which a 18  
participant gives a valuable consideration for a chance to win a 19

prize, but does not include bingo, a skill-based amusement machine, or a pool not conducted for profit.

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

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

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

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

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

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

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

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

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

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

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

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

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

(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. 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 81  
period of two years immediately preceding either the making of an 82  
application for a bingo license under section 2915.08 of the 83  
Revised Code or the conducting of any game of chance as provided 84  
in division (D) of section 2915.02 of the Revised Code. 85

(I) "Religious organization" means any church, body of 86  
communicants, or group that is not organized or operated for 87  
profit and that gathers in common membership for regular worship 88  
and religious observances. 89

(J) "Educational organization" means any organization within 90  
this state that is not organized for profit, the primary purpose 91  
of which is to educate and develop the capabilities of individuals 92  
through instruction by means of operating or contributing to the 93  
support of a school, academy, college, or university. 94

(K) "Veteran's organization" means any individual post or 95  
state headquarters of a national veteran's association or an 96  
auxiliary unit of any individual post of a national veteran's 97  
association, which post, state headquarters, or auxiliary unit is 98  
incorporated as a nonprofit corporation and either has received a 99  
letter from the state headquarters of the national veteran's 100  
association indicating that the individual post or auxiliary unit 101  
is in good standing with the national veteran's association or has 102  
received a letter from the national veteran's association 103  
indicating that the state headquarters is in good standing with 104  
the national veteran's association. As used in this division, 105  
"national veteran's association" means any veteran's association 106  
that has been in continuous existence as such for a period of at 107  
least five years and either is incorporated by an act of the 108  
United States congress or has a national dues-paying membership of 109  
at least five thousand persons. 110

(L) "Volunteer firefighter's organization" means any 111  
organization of volunteer firefighters, as defined in section 112

146.01 of the Revised Code, that is organized and operated 113  
exclusively to provide financial support for a volunteer fire 114  
department or a volunteer fire company and that is recognized or 115  
ratified by a county, municipal corporation, or township. 116

(M) "Fraternal organization" means any society, order, state 117  
headquarters, or association within this state, except a college 118  
or high school fraternity, that is not organized for profit, that 119  
is a branch, lodge, or chapter of a national or state 120  
organization, that exists exclusively for the common business or 121  
sodality of its members. 122

(N) "Volunteer rescue service organization" means any 123  
organization of volunteers organized to function as an emergency 124  
medical service organization, as defined in section 4765.01 of the 125  
Revised Code. 126

(O) "Service organization" means either of the following: 127

(1) Any organization, not organized for profit, that is 128  
organized and operated exclusively to provide, or to contribute to 129  
the support of organizations or institutions organized and 130  
operated exclusively to provide, medical and therapeutic services 131  
for persons who are crippled, born with birth defects, or have any 132  
other mental or physical defect or those organized and operated 133  
exclusively to protect, or to contribute to the support of 134  
organizations or institutions organized and operated exclusively 135  
to protect, animals from inhumane treatment or provide immediate 136  
shelter to victims of domestic violence; 137

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

operated primarily to provide, or to contribute to the support of 144  
organizations or institutions organized and operated primarily to 145  
provide, medical and therapeutic services for persons who are 146  
crippled, born with birth defects, or have any other mental or 147  
physical defect. 148

(P) "Nonprofit medical organization" means either of the 149  
following: 150

(1) Any organization that has been incorporated as a 151  
nonprofit corporation for at least five years and that has 152  
continuously operated and will be operated exclusively to provide, 153  
or to contribute to the support of organizations or institutions 154  
organized and operated exclusively to provide, hospital, medical, 155  
research, or therapeutic services for the public; 156

(2) Any organization that is described and qualified under 157  
subsection 501(c)(3) of the Internal Revenue Code, that has been 158  
incorporated as a nonprofit corporation for at least five years, 159  
and that has continuously operated and will be operated primarily 160  
to provide, or to contribute to the support of organizations or 161  
institutions organized and operated primarily to provide, 162  
hospital, medical, research, or therapeutic services for the 163  
public. 164

(Q) "Senior citizen's organization" means any private 165  
organization, not organized for profit, that is organized and 166  
operated exclusively to provide recreational or social services 167  
for persons who are fifty-five years of age or older and that is 168  
described and qualified under subsection 501(c)(3) of the Internal 169  
Revenue Code. 170

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

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| used for a charitable purpose.                                     | 175 |
| (S) "Bingo" means <del>either</del> <u>any</u> of the following:   | 176 |
| (1) A game with all of the following characteristics:              | 177 |
| (a) The participants use bingo cards or sheets, including          | 178 |
| paper formats and electronic representation or image formats, that | 179 |
| are divided into twenty-five spaces arranged in five horizontal    | 180 |
| and five vertical rows of spaces, with each space, except the      | 181 |
| central space, being designated by a combination of a letter and a | 182 |
| number and with the central space being designated as a free       | 183 |
| space.   | 184 |
| (b) The participants cover the spaces on the bingo cards or        | 185 |
| sheets that correspond to combinations of letters and numbers that | 186 |
| are announced by a bingo game operator.                            | 187 |
| (c) A bingo game operator announces combinations of letters        | 188 |
| and numbers that appear on objects that a bingo game operator      | 189 |
| selects by chance, either manually or mechanically, from a         | 190 |
| receptacle that contains seventy-five objects at the beginning of  | 191 |
| each game, each object marked by a different combination of a      | 192 |
| letter and a number that corresponds to one of the seventy-five    | 193 |
| possible combinations of a letter and a number that can appear on  | 194 |
| the bingo cards or sheets.   | 195 |
| (d) The winner of the bingo game includes any participant who      | 196 |
| properly announces during the interval between the announcements   | 197 |
| of letters and numbers as described in division (S)(1)(c) of this  | 198 |
| section, that a predetermined and preannounced pattern of spaces   | 199 |
| has been covered on a bingo card or sheet being used by the        | 200 |
| participant.   | 201 |
| (2) Instant bingo, punch boards, and raffles;                      | 202 |
| <u>(3) Charitable electronic instant bingo.</u>                    | 203 |
| (T) "Conduct" means to back, promote, organize, manage, carry      | 204 |

on, sponsor, or prepare for the operation of bingo or a game of chance. 205  
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(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, having access to or performing any function in the operation of charitable electronic instant bingo, and preparing, selling, and serving food or beverages. 207  
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(V) "Participant" means any person who plays bingo. 221

(W) "Bingo session" means a period that includes both of the following: 222  
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(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; 224  
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(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. 227  
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(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 230  
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| auxiliary unit or society of a charitable organization conducting  | 236 |
| bingo, provided all of the following apply:                        | 237 |
| (1) The auxiliary unit or society has been in existence as a       | 238 |
| bona fide auxiliary unit or society of the charitable organization | 239 |
| for at least two years prior to conducting bingo.                  | 240 |
| (2) The person who purchases the food or beverage receives         | 241 |
| nothing of value except the food or beverage and items customarily | 242 |
| received with the purchase of that food or beverage.               | 243 |
| (3) The food and beverages are sold at customary and               | 244 |
| reasonable prices.   | 245 |
| (Y) "Security personnel" includes any person who either is a       | 246 |
| sheriff, deputy sheriff, marshal, deputy marshal, township         | 247 |
| constable, or member of an organized police department of a        | 248 |
| municipal corporation or has successfully completed a peace        | 249 |
| officer's training course pursuant to sections 109.71 to 109.79 of | 250 |
| the Revised Code and who is hired to provide security for the      | 251 |
| premises on which bingo is conducted.                              | 252 |
| (Z) "Charitable purpose" means that the net profit of bingo,       | 253 |
| other than instant bingo, is used by, or is given, donated, or     | 254 |
| otherwise transferred to, any of the following:                    | 255 |
| (1) Any organization that is described in subsection               | 256 |
| 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code    | 257 |
| and is either a governmental unit or an organization that is tax   | 258 |
| exempt under subsection 501(a) and described in subsection         | 259 |
| 501(c)(3) of the Internal Revenue Code;                            | 260 |
| (2) A veteran's organization that is a post, chapter, or           | 261 |
| organization of veterans, or an auxiliary unit or society of, or a | 262 |
| trust or foundation for, any such post, chapter, or organization   | 263 |
| organized in the United States or any of its possessions, at least | 264 |
| seventy-five per cent of the members of which are veterans and     | 265 |
| substantially all of the other members of which are individuals    | 266 |

who are spouses, widows, or widowers of veterans, or such 267  
individuals, provided that no part of the net earnings of such 268  
post, chapter, or organization inures to the benefit of any 269  
private shareholder or individual, and further provided that the 270  
net profit is used by the post, chapter, or organization for the 271  
charitable purposes set forth in division (B)(12) of section 272  
5739.02 of the Revised Code, is used for awarding scholarships to 273  
or for attendance at an institution mentioned in division (B)(12) 274  
of section 5739.02 of the Revised Code, is donated to a 275  
governmental agency, or is used for nonprofit youth activities, 276  
the purchase of United States or Ohio flags that are donated to 277  
schools, youth groups, or other bona fide nonprofit organizations, 278  
promotion of patriotism, or disaster relief; 279

(3) A fraternal organization that has been in continuous 280  
existence in this state for fifteen years and that uses the net 281  
profit exclusively for religious, charitable, scientific, 282  
literary, or educational purposes, or for the prevention of 283  
cruelty to children or animals, if contributions for such use 284  
would qualify as a deductible charitable contribution under 285  
subsection 170 of the Internal Revenue Code; 286

(4) A volunteer firefighter's organization that uses the net 287  
profit for the purposes set forth in division (L) of this section. 288

(AA) "Internal Revenue Code" means the "Internal Revenue Code 289  
of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 290  
amended. 291

(BB) "Youth athletic organization" means any organization, 292  
not organized for profit, that is organized and operated 293  
exclusively to provide financial support to, or to operate, 294  
athletic activities for persons who are twenty-one years of age or 295  
younger by means of sponsoring, organizing, operating, or 296  
contributing to the support of an athletic team, club, league, or 297  
association. 298

(CC) "Youth athletic park organization" means any 299  
organization, not organized for profit, that satisfies both of the 300  
following: 301

(1) It owns, operates, and maintains playing fields that 302  
satisfy both of the following: 303

(a) The playing fields are used at least one hundred days per 304  
year for athletic activities by one or more organizations, not 305  
organized for profit, each of which is organized and operated 306  
exclusively to provide financial support to, or to operate, 307  
athletic activities for persons who are eighteen years of age or 308  
younger by means of sponsoring, organizing, operating, or 309  
contributing to the support of an athletic team, club, league, or 310  
association. 311

(b) The playing fields are not used for any profit-making 312  
activity at any time during the year. 313

(2) It uses the proceeds of bingo it conducts exclusively for 314  
the operation, maintenance, and improvement of its playing fields 315  
of the type described in division (CC)(1) of this section. 316

(DD) "Amateur athletic organization" means any organization, 317  
not organized for profit, that is organized and operated 318  
exclusively to provide financial support to, or to operate, 319  
athletic activities for persons who are training for amateur 320  
athletic competition that is sanctioned by a national governing 321  
body as defined in the "Amateur Sports Act of 1978," 90 Stat. 322  
3045, 36 U.S.C.A. 373. 323

(EE) "Bingo supplies" means bingo cards or sheets; instant 324  
bingo tickets or cards; electronic bingo aids; raffle tickets; 325  
punch boards; seal cards; instant bingo ticket dispensers; 326  
charitable electronic instant bingo; and devices for selecting or 327  
displaying the combination of bingo letters and numbers or raffle 328  
tickets. Items that are "bingo supplies" are not gambling devices 329

if sold or otherwise provided, and used, in accordance with this 330  
chapter. For purposes of this chapter, "bingo supplies" are not to 331  
be considered equipment used to conduct a bingo game. 332

(FF) "Instant bingo" means a form of bingo that uses folded 333  
or banded tickets or paper cards with perforated break-open tabs, 334  
a face of which is covered or otherwise hidden from view to 335  
conceal a number, letter, or symbol, or set of numbers, letters, 336  
or symbols, some of which have been designated in advance as prize 337  
winners. "Instant bingo" includes seal cards and charitable 338  
electronic instant bingo. ~~"Instant bingo" does not include any~~ 339  
~~device that is activated by the insertion of a coin, currency,~~ 340  
~~token, or an equivalent, and that contains as one of its~~ 341  
~~components a video display monitor that is capable of displaying~~ 342  
~~numbers, letters, symbols, or characters in winning or losing~~ 343  
~~combinations.~~ 344

(GG) "Seal card" means a form of instant bingo that uses 345  
instant bingo tickets in conjunction with a board or placard that 346  
contains one or more seals that, when removed or opened, reveal 347  
predesignated winning numbers, letters, or symbols. 348

(HH) "Raffle" means a form of bingo in which the one or more 349  
prizes are won by one or more persons who have purchased a raffle 350  
ticket. The one or more winners of the raffle are determined by 351  
drawing a ticket stub or other detachable section from a 352  
receptacle containing ticket stubs or detachable sections 353  
corresponding to all tickets sold for the raffle. "Raffle" does 354  
not include the drawing of a ticket stub or other detachable 355  
section of a ticket purchased to attend a professional sporting 356  
event if both of the following apply: 357

(1) The ticket stub or other detachable section is used to 358  
select the winner of a free prize given away at the professional 359  
sporting event; and 360

(2) The cost of the ticket is the same as the cost of a 361  
ticket to the professional sporting event on days when no free 362  
prize is given away. 363

(II) "Punch board" means a board containing a number of holes 364  
or receptacles of uniform size in which are placed, mechanically 365  
and randomly, serially numbered slips of paper that may be punched 366  
or drawn from the hole or receptacle when used in conjunction with 367  
instant bingo. A player may punch or draw the numbered slips of 368  
paper from the holes or receptacles and obtain the prize 369  
established for the game if the number drawn corresponds to a 370  
winning number or, if the punch board includes the use of a seal 371  
card, a potential winning number. 372

(JJ) "Gross profit" means gross receipts minus the amount 373  
actually expended for the payment of prize awards. 374

(KK) "Net profit" means gross profit minus expenses. 375

(LL) "Expenses" means the reasonable amount of gross profit 376  
actually expended for all of the following: 377

(1) The purchase or lease of bingo supplies; 378

(2) The annual license fee required under section 2915.08 of 379  
the Revised Code; 380

(3) Bank fees and service charges for a bingo session or game 381  
account described in section 2915.10 of the Revised Code; 382

(4) Audits and accounting services; 383

(5) Safes; 384

(6) Cash registers; 385

(7) Hiring security personnel; 386

(8) Advertising bingo; 387

(9) Renting premises in which to conduct a bingo session; 388

(10) Tables and chairs; 389

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| (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; | 390<br>391<br>392<br>393 |
| (12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted;  | 394<br>395               |
| (13) 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.  | 396<br>397<br>398<br>399 |
| (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.   | 400<br>401<br>402        |
| (NN) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction.                       | 403<br>404<br>405<br>406 |
| (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.                 | 407<br>408<br>409<br>410 |
| (PP) "Distributor" means any person who purchases or obtains bingo supplies and who does either of the following:   | 411<br>412               |
| (1) Sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person for use in this state;  | 413<br>414<br>415        |
| (2) Modifies, converts, adds to, or removes parts from the bingo supplies to further their promotion or sale for use in this state.   | 416<br>417<br>418        |
| (QQ) "Manufacturer" means any person who assembles completed  | 419                      |

bingo supplies from raw materials, other items, or subparts or who 420  
modifies, converts, adds to, or removes parts from bingo supplies 421  
to further their promotion or sale. 422

(RR) "Gross annual revenues" means the annual gross receipts 423  
derived from the conduct of bingo described in division (S)(1) of 424  
this section plus the annual net profit derived from the conduct 425  
of bingo described in division (S)(2) of this section. 426

(SS) "Instant bingo ticket dispenser" means a mechanical 427  
device that dispenses an instant bingo ticket or card as the sole 428  
item of value dispensed and that has the following 429  
characteristics: 430

(1) It is activated upon the insertion of United States 431  
currency. 432

(2) It performs no gaming functions. 433

(3) It does not contain a video display monitor or generate 434  
noise. 435

(4) It is not capable of displaying any numbers, letters, 436  
symbols, or characters in winning or losing combinations. 437

(5) It does not simulate or display rolling or spinning 438  
reels. 439

(6) It is incapable of determining whether a dispensed bingo 440  
ticket or card is a winning or nonwinning ticket or card and 441  
requires a winning ticket or card to be paid by a bingo game 442  
operator. 443

(7) It may provide accounting and security features to aid in 444  
accounting for the instant bingo tickets or cards it dispenses. 445

(8) It is not part of an electronic network and is not 446  
interactive. 447

(TT)(1) "Electronic bingo aid" means an electronic device 448  
used by a participant to monitor bingo cards or sheets purchased 449

at the time and place of a bingo session and that does all of the 450  
following: 451

(a) It provides a means for a participant to input numbers 452  
and letters announced by a bingo caller. 453

(b) It compares the numbers and letters entered by the 454  
participant to the bingo faces previously stored in the memory of 455  
the device. 456

(c) It identifies a winning bingo pattern. 457

(2) "Electronic bingo aid" does not include any device into 458  
which a coin, currency, token, or an equivalent is inserted to 459  
activate play. 460

(UU) "Deal of instant bingo tickets" means a single game of 461  
instant bingo tickets all with the same serial number. 462

(VV)(1) "Slot machine" means either of the following: 463

(a) Any mechanical, electronic, video, or digital device that 464  
is capable of accepting anything of value, directly or indirectly, 465  
from or on behalf of a player who gives the thing of value in the 466  
hope of gain; 467

(b) Any mechanical, electronic, video, or digital device that 468  
is capable of accepting anything of value, directly or indirectly, 469  
from or on behalf of a player to conduct bingo or a scheme or game 470  
of chance. 471

(2) "Slot machine" does not include a skill-based amusement 472  
machine ~~or~~, an instant bingo ticket dispenser, or charitable 473  
electronic instant bingo. 474

(WW) "Net profit from the proceeds of the sale of instant 475  
bingo or charitable electronic instant bingo" means gross profit 476  
minus the ordinary, necessary, and reasonable expense expended for 477  
the purchase of instant bingo or the purchase or lease of 478  
charitable electronic instant bingo supplies. 479



(XX) "Charitable instant bingo organization" means an 480  
organization that is exempt from federal income taxation under 481  
subsection 501(a) and described in subsection 501(c)(3) of the 482  
Internal Revenue Code and is a charitable organization as defined 483  
in this section. A "charitable instant bingo organization" does 484  
not include a charitable organization that is exempt from federal 485  
income taxation under subsection 501(a) and described in 486  
subsection 501(c)(3) of the Internal Revenue Code and that is 487  
created by a veteran's organization, a fraternal organization, or 488  
a sporting organization in regards to bingo conducted or assisted 489  
by a veteran's organization, a fraternal organization, or a 490  
sporting organization pursuant to section 2915.13 of the Revised 491  
Code. 492

(YY) "Game flare" means the board or placard that accompanies 493  
each deal of instant bingo tickets and that has printed on or 494  
affixed to it the following information for the game: 495

(1) The name of the game; 496

(2) The manufacturer's name or distinctive logo; 497

(3) The form number; 498

(4) The ticket count; 499

(5) The prize structure, including the number of winning 500  
instant bingo tickets by denomination and the respective winning 501  
symbol or number combinations for the winning instant bingo 502  
tickets; 503

(6) The cost per play; 504

(7) The serial number of the game. 505

(ZZ) "Historic railroad educational organization" means an 506  
organization that is exempt from federal income taxation under 507  
subsection 501(a) and described in subsection 501(c)(3) of the 508  
Internal Revenue Code, that owns in fee simple the tracks and the 509

right\_of\_way of a historic railroad that the organization restores 510  
or maintains and on which the organization provides excursions as 511  
part of a program to promote tourism and educate visitors 512  
regarding the role of railroad transportation in Ohio history, and 513  
that received as donations from a charitable organization that 514  
holds a license to conduct bingo under this chapter an amount 515  
equal to at least fifty per cent of that licensed charitable 516  
organization's net proceeds from the conduct of bingo during each 517  
of the five years preceding June 30, 2003. "Historic railroad" 518  
means all or a portion of the tracks and right-of-way of a 519  
railroad that was owned and operated by a for-profit common 520  
carrier in this state at any time prior to January 1, 1950. 521

(AAA)(1) "Skill-based amusement machine" means a mechanical, 522  
video, digital, or electronic device that rewards the player or 523  
players, if at all, only with merchandise prizes or with 524  
redeemable vouchers redeemable only for merchandise prizes, 525  
provided that with respect to rewards for playing the game all of 526  
the following apply: 527

(a) The wholesale value of a merchandise prize awarded as a 528  
result of the single play of a machine does not exceed ten 529  
dollars; 530

(b) Redeemable vouchers awarded for any single play of a 531  
machine are not redeemable for a merchandise prize with a 532  
wholesale value of more than ten dollars; 533

(c) Redeemable vouchers are not redeemable for a merchandise 534  
prize that has a wholesale value of more than ten dollars times 535  
the fewest number of single plays necessary to accrue the 536  
redeemable vouchers required to obtain that prize; and 537

(d) Any redeemable vouchers or merchandise prizes are 538  
distributed at the site of the skill-based amusement machine at 539  
the time of play. 540

(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 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 could exercise.

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

(a) As used in this section, "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 game, play, contest, competition, or tournament may be awarded redeemable vouchers or merchandise prizes based on the results of play.

(b) Advance play for a single 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 noncontest, competition, or tournament 571  
play. 572

(c) To the extent that the machine is used in a contest, 573  
competition, or tournament, that contest, competition, or 574  
tournament has a defined starting and ending date and is open to 575  
participants in competition for scoring and ranking results toward 576  
the awarding of redeemable vouchers or merchandise prizes that are 577  
stated prior to the start of the contest, competition, or 578  
tournament. 579

(4) For purposes of division (AAA)(1) of this section, the 580  
mere presence of a device, such as a pin-setting, ball-releasing, 581  
or scoring mechanism, that does not contribute to or affect the 582  
outcome of the play of the game does not make the device a 583  
skill-based amusement machine. 584

(BBB) "Merchandise prize" means any item of value, but shall 585  
not include any of the following: 586

(1) Cash, gift cards, or any equivalent thereof; 587

(2) Plays on games of chance, state lottery tickets, bingo, 588  
or instant bingo; 589

(3) Firearms, tobacco, or alcoholic beverages; or 590

(4) A redeemable voucher that is redeemable for any of the 591  
items listed in division (BBB)(1), (2), or (3) of this section. 592

(CCC) "Redeemable voucher" means any ticket, token, coupon, 593  
receipt, or other noncash representation of value. 594

(DDD) "Pool not conducted for profit" means a scheme in which 595  
a participant gives a valuable consideration for a chance to win a 596  
prize and the total amount of consideration wagered is distributed 597  
to a participant or participants. 598

(EEE) "Sporting organization" means a hunting, fishing, or 599  
trapping organization, other than a college or high school 600

fraternity or sorority, that is not organized for profit, that is 601  
affiliated with a state or national sporting organization, 602  
including but not limited to, the Ohio league of sportsmen, and 603  
that has been in continuous existence in this state for a period 604  
of three years. 605

(FFF) "Community action agency" has the same meaning as in 606  
section 122.66 of the Revised Code. 607

(GGG) "Charitable electronic instant bingo" means any 608  
electronic gaming device determined to be a class II or class III 609  
device under the "Indian Gaming Regulatory Act," 25 U.S.C. 2701 et 610  
seq., for which a valid charitable bingo license has been issued 611  
to a veterans, fraternal, or sporting organization, and from which 612  
a percentage of the net profits is transferred to a charitable 613  
purpose established in section 2915.101 of the Revised Code. 614

**Sec. 2915.08.** (A)(1) Annually before the first day of 615  
January, a charitable organization that desires to conduct bingo, 616  
instant bingo at a bingo session, ~~or~~ instant bingo other than at a 617  
bingo session, or charitable electronic instant bingo shall make 618  
out, upon a form to be furnished by the attorney general for that 619  
purpose, an application for a license to conduct bingo, instant 620  
bingo at a bingo session, ~~or~~ instant bingo other than at a bingo 621  
session, or charitable electronic instant bingo and deliver that 622  
application to the attorney general together with a license fee as 623  
follows: 624

(a) Except as otherwise provided in this division, for a 625  
license for the conduct of bingo, two hundred dollars; 626

(b) For a license for the conduct of instant bingo at a bingo 627  
session ~~or~~, instant bingo other than at a bingo session, or 628  
charitable electronic instant bingo for a charitable organization 629  
that previously has not been licensed under this chapter to 630  
conduct instant bingo at a bingo session ~~or~~, instant bingo other 631

than at a bingo session, or charitable electronic instant bingo, a 632  
license fee of five hundred dollars, and for any other charitable 633  
organization, a license fee that is based upon the gross profits 634  
received by the charitable organization from the operation of 635  
instant bingo at a bingo session ~~or~~, instant bingo other than at a 636  
bingo session, or charitable electronic instant bingo, during the 637  
one-year period ending on the thirty-first day of October of the 638  
year immediately preceding the year for which the license is 639  
sought, and that is one of the following: 640

(i) Five hundred dollars, if the total is fifty thousand 641  
dollars or less; 642

(ii) One thousand two hundred fifty dollars plus one-fourth 643  
per cent of the gross profit, if the total is more than fifty 644  
thousand dollars but less than two hundred fifty thousand one 645  
dollars; 646

(iii) Two thousand two hundred fifty dollars plus one-half 647  
per cent of the gross profit, if the total is more than two 648  
hundred fifty thousand dollars but less than five hundred thousand 649  
one dollars; 650

(iv) Three thousand five hundred dollars plus one per cent of 651  
the gross profit, if the total is more than five hundred thousand 652  
dollars but less than one million one dollars; 653

(v) Five thousand dollars plus one per cent of the gross 654  
profit, if the total is one million one dollars or more; 655

(c) A reduced license fee established by the attorney general 656  
pursuant to division (G) of this section. 657

(d) For a license to conduct bingo for a charitable 658  
organization that prior to ~~the effective date of this amendment~~ 659  
July 1, 2003, has not been licensed under this chapter to conduct 660  
bingo, instant bingo at a bingo session, or instant bingo other 661  
than at a bingo session, a license fee established by rule by the 662

attorney general in accordance with division (H) of this section. 663

(2) The application shall be in the form prescribed by the 664  
attorney general, shall be signed and sworn to by the applicant, 665  
and shall contain all of the following: 666

(a) The name and post-office address of the applicant; 667

(b) A statement that the applicant is a charitable 668  
organization and that it has been in continuous existence as a 669  
charitable organization in this state for two years immediately 670  
preceding the making of the application or for five years in the 671  
case of a fraternal organization or a nonprofit medical 672  
organization; 673

(c) The location at which the organization will conduct 674  
bingo, which location shall be within the county in which the 675  
principal place of business of the applicant is located, the days 676  
of the week and the times on each of those days when bingo will be 677  
conducted, whether the organization owns, leases, or subleases the 678  
premises, and a copy of the rental agreement if it leases or 679  
subleases the premises; 680

(d) A statement of the applicant's previous history, record, 681  
and association that is sufficient to establish that the applicant 682  
is a charitable organization, and a copy of a determination letter 683  
that is issued by the Internal Revenue Service and states that the 684  
organization is tax exempt under subsection 501(a) and described 685  
in subsection 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 686  
501(c)(10), or 501(c)(19) of the Internal Revenue Code; 687

(e) A statement as to whether the applicant has ever had any 688  
previous application refused, whether it previously has had a 689  
license revoked or suspended, and the reason stated by the 690  
attorney general for the refusal, revocation, or suspension; 691

(f) A statement of the charitable purposes for which the net 692  
profit derived from bingo, other than instant bingo, will be used, 693

and a statement of how the net profit derived from instant bingo 694  
and charitable electronic instant bingo will be distributed in 695  
accordance with section 2915.101 of the Revised Code; 696

(g) Other necessary and reasonable information that the 697  
attorney general may require by rule adopted pursuant to section 698  
111.15 of the Revised Code; 699

(h) If the applicant is a charitable trust as defined in 700  
section 109.23 of the Revised Code, a statement as to whether it 701  
has registered with the attorney general pursuant to section 702  
109.26 of the Revised Code or filed annual reports pursuant to 703  
section 109.31 of the Revised Code, and, if it is not required to 704  
do either, the exemption in section 109.26 or 109.31 of the 705  
Revised Code that applies to it; 706

(i) If the applicant is a charitable organization as defined 707  
in section 1716.01 of the Revised Code, a statement as to whether 708  
it has filed with the attorney general a registration statement 709  
pursuant to section 1716.02 of the Revised Code and a financial 710  
report pursuant to section 1716.04 of the Revised Code, and, if it 711  
is not required to do both, the exemption in section 1716.03 of 712  
the Revised Code that applies to it; 713

(j) In the case of an applicant seeking to qualify as a youth 714  
athletic park organization, a statement issued by a board or body 715  
vested with authority under Chapter 755. of the Revised Code for 716  
the supervision and maintenance of recreation facilities in the 717  
territory in which the organization is located, certifying that 718  
the playing fields owned by the organization were used for at 719  
least one hundred days during the year in which the statement is 720  
issued, and were open for use to all residents of that territory, 721  
regardless of race, color, creed, religion, sex, or national 722  
origin, for athletic activities by youth athletic organizations 723  
that do not discriminate on the basis of race, color, creed, 724  
religion, sex, or national origin, and that the fields were not 725



used for any profit-making activity at any time during the year. 726  
That type of board or body is authorized to issue the statement 727  
upon request and shall issue the statement if it finds that the 728  
applicant's playing fields were so used. 729

(3) The attorney general, within thirty days after receiving 730  
a timely filed application from a charitable organization that has 731  
been issued a license under this section that has not expired and 732  
has not been revoked or suspended, shall send a temporary permit 733  
to the applicant specifying the date on which the application was 734  
filed with the attorney general and stating that, pursuant to 735  
section 119.06 of the Revised Code, the applicant may continue to 736  
conduct bingo until a new license is granted or, if the 737  
application is rejected, until fifteen days after notice of the 738  
rejection is mailed to the applicant. The temporary permit does 739  
not affect the validity of the applicant's application and does 740  
not grant any rights to the applicant except those rights 741  
specifically granted in section 119.06 of the Revised Code. The 742  
issuance of a temporary permit by the attorney general pursuant to 743  
this division does not prohibit the attorney general from 744  
rejecting the applicant's application because of acts that the 745  
applicant committed, or actions that the applicant failed to take, 746  
before or after the issuance of the temporary permit. 747

(4) Within thirty days after receiving an initial license 748  
application from a charitable organization to conduct bingo, 749  
instant bingo at a bingo session, ~~or~~ instant bingo other than at a 750  
bingo session, or charitable electronic instant bingo, the 751  
attorney general shall conduct a preliminary review of the 752  
application and notify the applicant regarding any deficiencies. 753  
Once an application is deemed complete, or beginning on the 754  
thirtieth day after the application is filed, if the attorney 755  
general failed to notify the applicant of any deficiencies, the 756  
attorney general shall have an additional sixty days to conduct an 757

investigation and either grant or deny the application based on 758  
findings established and communicated in accordance with divisions 759  
(B) and (E) of this section. As an option to granting or denying 760  
an initial license application, the attorney general may grant a 761  
temporary license and request additional time to conduct the 762  
investigation if the attorney general has cause to believe that 763  
additional time is necessary to complete the investigation and has 764  
notified the applicant in writing about the specific concerns 765  
raised during the investigation. 766

(B)(1) The attorney general shall adopt rules to enforce 767  
sections 2915.01, 2915.02, and 2915.07 to 2915.13 of the Revised 768  
Code to ensure that bingo ~~or~~, instant bingo, or charitable 769  
electronic instant bingo is conducted in accordance with those 770  
sections and to maintain proper control over the conduct of bingo 771  
~~or~~, instant bingo, or charitable electronic instant bingo. The 772  
rules, except rules adopted pursuant to divisions (A)(2)(g) and 773  
(G) of this section, shall be adopted pursuant to Chapter 119. of 774  
the Revised Code. The attorney general shall license charitable 775  
organizations to conduct bingo, instant bingo at a bingo session, 776  
~~or~~ instant bingo other than at a bingo session, or charitable 777  
electronic instant bingo in conformance with this chapter and with 778  
the licensing provisions of Chapter 119. of the Revised Code. 779

(2) The attorney general may refuse to grant a license to any 780  
organization, or revoke or suspend the license of any 781  
organization, that does any of the following or to which any of 782  
the following applies: 783

(a) Fails or has failed at any time to meet any requirement 784  
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 785  
2915.11 of the Revised Code, or violates or has violated any 786  
provision of sections 2915.02 or 2915.07 to 2915.13 of the Revised 787  
Code or any rule adopted by the attorney general pursuant to this 788  
section; 789

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

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

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

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

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

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

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

(1) The issuance of the license;

|  |   |
|--|---|
| (2) The issuance of the amended license;   | 820   |
| (3) The rejection of an application for and refusal to grant<br>a license;   | 821<br>822  |
| (4) The revocation of any license previously issued;   | 823   |
| (5) The suspension of any license previously issued.   | 824   |
| (E) A license issued by the attorney general shall set forth<br>the information contained on the application of the charitable<br>organization that the attorney general determines is relevant,<br>including, but not limited to, the location at which the<br>organization will conduct bingo, instant bingo at a bingo session,<br><del>or</del> instant bingo other than at a bingo session, <u>or charitable</u><br><u>electronic instant bingo</u> and the days of the week and the times on<br>each of those days when bingo will be conducted. If the attorney<br>general refuses to grant or revokes or suspends a license, the<br>attorney general shall notify the applicant in writing and<br>specifically identify the reason for the refusal, revocation, or<br>suspension in narrative form and, if applicable, by identifying<br>the section of the Revised Code violated. The failure of the<br>attorney general to give the written notice of the reasons for the<br>refusal, revocation, or suspension or a mistake in the written<br>notice does not affect the validity of the attorney general's<br>refusal to grant, or the revocation or suspension of, a license.<br>If the attorney general fails to give the written notice or if<br>there is a mistake in the written notice, the applicant may bring<br>an action to compel the attorney general to comply with this<br>division or to correct the mistake, but the attorney general's<br>order refusing to grant, or revoking or suspending, a license<br>shall not be enjoined during the pendency of the action. | 825<br>826<br>827<br>828<br>829<br>830<br>831<br>832<br>833<br>834<br>835<br>836<br>837<br>838<br>839<br>840<br>841<br>842<br>843<br>844<br>845<br>846<br>847 |
| (F) A charitable organization that has been issued a license<br>pursuant to division (B) of this section but that cannot conduct<br>bingo <del>or</del> , <u>instant bingo, or charitable electronic instant bingo</u> at  | 848<br>849<br>850   |

the location, or on the day of the week or at the time, specified 851  
on the license due to circumstances that make it impractical to do 852  
so may apply in writing, together with an application fee of two 853  
hundred fifty dollars, to the attorney general, at least thirty 854  
days prior to a change in location, day of the week, or time, and 855  
request an amended license. The application shall describe the 856  
causes making it impractical for the organization to conduct bingo 857  
~~or~~, instant bingo, or charitable electronic instant bingo in 858  
conformity with its license and shall indicate the location, days 859  
of the week, and times on each of those days when it desires to 860  
conduct bingo ~~or~~, instant bingo, or charitable electronic instant 861  
bingo. Except as otherwise provided in this division, the attorney 862  
general shall issue the amended license in accordance with 863  
division (E) of this section, and the organization shall surrender 864  
its original license to the attorney general. The attorney general 865  
may refuse to grant an amended license according to the terms of 866  
division (B) of this section. 867

(G) The attorney general, by rule adopted pursuant to section 868  
111.15 of the Revised Code, shall establish a schedule of reduced 869  
license fees for charitable organizations that desire to conduct 870  
bingo ~~or~~, instant bingo, or charitable electronic instant bingo 871  
during fewer than twenty-six weeks in any calendar year. 872

(H) The attorney general, by rule adopted pursuant to section 873  
111.15 of the Revised Code, shall establish license fees for the 874  
conduct of bingo, instant bingo at a bingo session, ~~or~~ instant 875  
bingo other than at a bingo session, or charitable electronic 876  
instant bingo for charitable organizations that prior to ~~the~~ 877  
~~effective date of this amendment~~ July 1, 2003, have not been 878  
licensed to conduct bingo, instant bingo at a bingo session, ~~or~~ 879  
instant bingo other than at a bingo session, or charitable 880  
electronic instant bingo under this chapter. 881

(I) The attorney general may enter into a written contract 882

with any other state agency to delegate to that state agency the 883  
powers prescribed to the attorney general under Chapter 2915. of 884  
the Revised Code. 885

(J) The attorney general, by rule adopted pursuant to section 886  
111.15 of the Revised Code, may adopt rules to determine the 887  
requirements for a charitable organization that is exempt from 888  
federal income taxation under subsection 501(a) and described in 889  
subsection 501(c)(3) of the Internal Revenue Code to be in good 890  
standing in the state. 891

**Sec. 2915.081.** (A) No distributor shall sell, offer to sell, 892  
or otherwise provide or offer to provide bingo supplies to another 893  
person, or modify, convert, add to, or remove parts from bingo 894  
supplies to further their promotion or sale, for use in this state 895  
without having obtained a license from the attorney general under 896  
this section. 897

(B) The attorney general may issue a distributor license to 898  
any person that meets the requirements of this section. The 899  
application for the license shall be on a form prescribed by the 900  
attorney general and be accompanied by the annual fee prescribed 901  
by this section. The license is valid for a period of one year, 902  
and the annual fee for the license is five thousand dollars. 903

(C) The attorney general may refuse to issue a distributor 904  
license to any person to which any of the following applies, or to 905  
any person that has an officer, partner, or other person who has 906  
an ownership interest of ten per cent or more and to whom any of 907  
the following applies: 908

(1) The person, officer, or partner has been convicted of a 909  
felony under the laws of this state, another state, or the United 910  
States. 911

(2) The person, officer, or partner has been convicted of any 912

gambling offense. 913

(3) The person, officer, or partner has made an incorrect or 914  
false statement that is material to the granting of a license in 915  
an application submitted to the attorney general under this 916  
section or in a similar application submitted to a gambling 917  
licensing authority in another jurisdiction if the statement 918  
resulted in license revocation through administrative action in 919  
the other jurisdiction. 920

(4) The person, officer, or partner has submitted any 921  
incorrect or false information relating to the application to the 922  
attorney general under this section, if the information is 923  
material to the granting of the license. 924

(5) The person, officer, or partner has failed to correct any 925  
incorrect or false information that is material to the granting of 926  
the license in the records required to be maintained under 927  
division (E) of section 2915.10 of the Revised Code. 928

(6) The person, officer, or partner has had a license related 929  
to gambling revoked or suspended under the laws of this state, 930  
another state, or the United States. 931

(D) The attorney general shall not issue a distributor 932  
license to any person that is involved in the conduct of bingo on 933  
behalf of a charitable organization or that is a lessor of 934  
premises used for the conduct of bingo. This division does not 935  
prohibit a distributor from advising charitable organizations on 936  
the use and benefit of specific bingo supplies or prohibit a 937  
distributor from advising a customer on operational methods to 938  
improve bingo profitability. 939

(E)(1) No distributor shall sell, offer to sell, or otherwise 940  
provide or offer to provide bingo supplies to any person, or 941  
modify, convert, add to, or remove parts from bingo supplies to 942  
further their promotion or sale, for use in this state except to 943

or for the use of a charitable organization that has been issued a 944  
license under section 2915.08 of the Revised Code or to another 945  
distributor that has been issued a license under this section. No 946  
distributor shall accept payment for the sale or other provision 947  
of bingo supplies other than by check or electronic fund transfer. 948

(2) No distributor may donate, give, loan, lease, or 949  
otherwise provide any bingo supplies or equipment, or modify, 950  
convert, add to, or remove parts from bingo supplies to further 951  
their promotion or sale, to or for the use of a charitable 952  
organization for use in a bingo session conditioned on or in 953  
consideration for an exclusive right to provide bingo supplies to 954  
the charitable organization. A distributor may provide a licensed 955  
charitable organization with free samples of the distributor's 956  
products to be used as prizes or to be used for the purpose of 957  
sampling. 958

(3) No distributor shall purchase bingo supplies for use in 959  
this state from any person except from a manufacturer issued a 960  
license under section 2915.082 of the Revised Code or from another 961  
distributor issued a license under this section. Subject to 962  
division (D) of section 2915.082 of the Revised Code, no 963  
distributor shall pay for purchased bingo supplies other than by 964  
check or electronic fund transfer. 965

(4) No distributor shall participate in the conduct of bingo 966  
on behalf of a charitable organization or have any direct or 967  
indirect ownership interest in a premises used for the conduct of 968  
bingo. 969

(5) No distributor shall knowingly solicit, offer, pay, or 970  
receive any kickback, bribe, or undocumented rebate, directly or 971  
indirectly, overtly or covertly, in cash or in kind, in return for 972  
providing bingo supplies to any person in this state. 973

(6) Except as provided by and through the negotiations of the 974



Ohio statewide veterans, fraternal, and sporting coalition, no 975  
distributor shall sell, offer to sell, give, loan, lease, or 976  
otherwise provide or offer to provide charitable electronic 977  
instant bingo to any veterans, fraternal, or sporting organization 978  
that has been issued a license under section 2915.08 of the 979  
Revised Code to conduct charitable electronic instant bingo. 980

(F) The attorney general shall affix a seal to a device a 981  
distributor intends to sell, offer to sell, or otherwise provide 982  
to a licensed organization to be used to conduct charitable 983  
electronic instant bingo if the attorney general finds the device 984  
meets the standards required under the law of this state. No 985  
distributor of charitable electronic instant bingo shall sell, 986  
offer to sell, or otherwise provide such a device to conduct 987  
charitable electronic instant bingo unless the device is affixed 988  
with the seal. 989

(G) The attorney general may suspend or revoke a distributor 990  
license for any of the reasons for which the attorney general may 991  
refuse to issue a distributor license specified in division (C) of 992  
this section or if the distributor holding the license violates 993  
any provision of this chapter or any rule adopted by the attorney 994  
general under this chapter. 995

~~(G)~~(H) Whoever violates division (A) or (E) of this section 996  
is guilty of illegally operating as a distributor. Except as 997  
otherwise provided in this division, illegally operating as a 998  
distributor is a misdemeanor of the first degree. If the offender 999  
previously has been convicted of a violation of division (A) or 1000  
(E) of this section, illegally operating as a distributor is a 1001  
felony of the fifth degree. 1002

**Sec. 2915.083.** (A) The Ohio statewide veterans, fraternal, 1003  
and sporting coalition is hereby recognized. 1004

(B) For all charitable organizations licensed to conduct 1005

charitable electronic instant bingo under section 2915.08 of the 1006  
Revised Code, the coalition shall negotiate, and as agreed to by a 1007  
majority of the coalition's members, all contract terms for 1008  
provision and maintenance of charitable electronic instant bingo. 1009  
No charitable organization that has been issued a license under 1010  
section 2915.08 of the Revised Code to conduct charitable 1011  
electronic instant bingo shall enter into a contract with a 1012  
distributor to buy, offer to buy, get, loan, lease, or otherwise 1013  
be provided or offered to be provided charitable electronic 1014  
instant bingo other than as negotiated by the coalition. 1015

**Sec. 2915.09.** (A) No charitable organization that conducts 1016  
bingo shall fail to do any of the following: 1017

(1) Own all of the equipment used to conduct bingo or lease 1018  
that equipment from a charitable organization that is licensed to 1019  
conduct bingo, or from the landlord of a premises where bingo is 1020  
conducted, for a rental rate that is not more than is customary 1021  
and reasonable for that equipment; 1022

(2) Except as otherwise provided in division (A)(3) of this 1023  
section, use all of the gross receipts from bingo for paying 1024  
prizes, for reimbursement of expenses for or for renting premises 1025  
in which to conduct a bingo session, for reimbursement of expenses 1026  
for or for purchasing or leasing bingo supplies used in conducting 1027  
bingo, for reimbursement of expenses for or for hiring security 1028  
personnel, for reimbursement of expenses for or for advertising 1029  
bingo, or for reimbursement of other expenses or for other 1030  
expenses listed in division (LL) of section 2915.01 of the Revised 1031  
Code, provided that the amount of the receipts so spent is not 1032  
more than is customary and reasonable for a similar purchase, 1033  
lease, hiring, advertising, or expense. If the building in which 1034  
bingo is conducted is owned by the charitable organization 1035  
conducting bingo and the bingo conducted includes a form of bingo 1036

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 of six hundred dollars or forty-five per cent of the gross receipts from the bingo described in that division as consideration for the use of the premises.

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

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

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

session. If the charitable organization leases from a person other 1069  
than a charitable organization the premises on which it conducts 1070  
bingo sessions, the lessor of the premises shall provide the 1071  
premises to the organization and shall not provide the 1072  
organization with bingo game operators, security personnel, 1073  
concessions or concession operators, bingo supplies, or any other 1074  
type of service. A charitable organization shall not lease or 1075  
sublease premises that it owns or leases to more than one other 1076  
charitable organization per calendar week for the purpose of 1077  
conducting bingo sessions on the premises. A person that is not a 1078  
charitable organization shall not lease premises that it owns, 1079  
leases, or otherwise is empowered to lease to more than three 1080  
charitable organizations per calendar week for conducting bingo 1081  
sessions on the premises. In no case shall more than nine bingo 1082  
sessions be conducted on any premises in any calendar week. 1083

(2) Display its license conspicuously at the premises where 1084  
the bingo session is conducted; 1085

(3) Conduct the bingo session in accordance with the 1086  
definition of bingo set forth in division (S)(1) of section 1087  
2915.01 of the Revised Code. 1088

(C) No charitable organization that conducts a bingo game 1089  
described in division (S)(1) of section 2915.01 of the Revised 1090  
Code shall do any of the following: 1091

(1) Pay any compensation to a bingo game operator for 1092  
operating a bingo session that is conducted by the charitable 1093  
organization or for preparing, selling, or serving food or 1094  
beverages at the site of the bingo session, permit any auxiliary 1095  
unit or society of the charitable organization to pay compensation 1096  
to any bingo game operator who prepares, sells, or serves food or 1097  
beverages at a bingo session conducted by the charitable 1098  
organization, or permit any auxiliary unit or society of the 1099  
charitable organization to prepare, sell, or serve food or 1100

beverages at a bingo session conducted by the charitable 1101  
organization, if the auxiliary unit or society pays any 1102  
compensation to the bingo game operators who prepare, sell, or 1103  
serve the food or beverages; 1104

(2) Pay consulting fees to any person for any services 1105  
performed in relation to the bingo session; 1106

(3) Pay concession fees to any person who provides 1107  
refreshments to the participants in the bingo session; 1108

(4) Except as otherwise provided in division (C)(4) of this 1109  
section, conduct more than three bingo sessions in any seven-day 1110  
period. A volunteer firefighter's organization or a volunteer 1111  
rescue service organization that conducts not more than five bingo 1112  
sessions in a calendar year may conduct more than three bingo 1113  
sessions in a seven-day period after notifying the attorney 1114  
general when it will conduct the sessions. 1115

(5) Pay out more than six thousand dollars in prizes for 1116  
bingo games described in division (S)(1) of section 2915.01 of the 1117  
Revised Code during any bingo session that is conducted by the 1118  
charitable organization. "Prizes" does not include awards from the 1119  
conduct of instant bingo. 1120

(6) Conduct a bingo session at any time during the ten-hour 1121  
period between midnight and ten a.m., at any time during, or 1122  
within ten hours of, a bingo game conducted for amusement only 1123  
pursuant to section 2915.12 of the Revised Code, at any premises 1124  
not specified on its license, or on any day of the week or during 1125  
any time period not specified on its license. Division (A)(6) of 1126  
this section does not prohibit the sale of instant bingo tickets 1127  
beginning at nine a.m. for a bingo session that begins at ten a.m. 1128  
If circumstances make it impractical for the charitable 1129  
organization to conduct a bingo session at the premises, or on the 1130  
day of the week or at the time, specified on its license or if a 1131

charitable organization wants to conduct bingo sessions on a day 1132  
of the week or at a time other than the day or time specified on 1133  
its license, the charitable organization may apply in writing to 1134  
the attorney general for an amended license pursuant to division 1135  
(F) of section 2915.08 of the Revised Code. A charitable 1136  
organization may apply twice in each calendar year for an amended 1137  
license to conduct bingo sessions on a day of the week or at a 1138  
time other than the day or time specified on its license. If the 1139  
amended license is granted, the organization may conduct bingo 1140  
sessions at the premises, on the day of the week, and at the time 1141  
specified on its amended license. 1142

(7) Permit any person whom the charitable organization knows, 1143  
or should have known, is under the age of eighteen to work as a 1144  
bingo game operator; 1145

(8) Permit any person whom the charitable organization knows, 1146  
or should have known, has been convicted of a felony or gambling 1147  
offense in any jurisdiction to be a bingo game operator; 1148

(9) Permit the lessor of the premises on which the bingo 1149  
session is conducted, if the lessor is not a charitable 1150  
organization, to provide the charitable organization with bingo 1151  
game operators, security personnel, concessions, bingo supplies, 1152  
or any other type of service; 1153

(10) Purchase or lease bingo supplies from any person except 1154  
a distributor issued a license under section 2915.081 of the 1155  
Revised Code; 1156

(11)(a) Use or permit the use of electronic bingo aids except 1157  
under the following circumstances: 1158

(i) For any single participant, not more than ninety bingo 1159  
faces can be played using an electronic bingo aid or aids. 1160

(ii) The charitable organization shall provide a participant 1161  
using an electronic bingo aid with corresponding paper bingo cards 1162

or sheets. 1163

(iii) The total price of bingo faces played with an 1164  
electronic bingo aid shall be equal to the total price of the same 1165  
number of bingo faces played with a paper bingo card or sheet sold 1166  
at the same bingo session but without an electronic bingo aid. 1167

(iv) An electronic bingo aid cannot be part of an electronic 1168  
network other than a network that includes only bingo aids and 1169  
devices that are located on the premises at which the bingo is 1170  
being conducted or be interactive with any device not located on 1171  
the premises at which the bingo is being conducted. 1172

(v) An electronic bingo aid cannot be used to participate in 1173  
bingo that is conducted at a location other than the location at 1174  
which the bingo session is conducted and at which the electronic 1175  
bingo aid is used. 1176

(vi) An electronic bingo aid cannot be used to provide for 1177  
the input of numbers and letters announced by a bingo caller other 1178  
than the bingo caller who physically calls the numbers and letters 1179  
at the location at which the bingo session is conducted and at 1180  
which the electronic bingo aid is used. 1181

(b) The attorney general may adopt rules in accordance with 1182  
Chapter 119. of the Revised Code that govern the use of electronic 1183  
bingo aids. The rules may include a requirement that an electronic 1184  
bingo aid be capable of being audited by the attorney general to 1185  
verify the number of bingo cards or sheets played during each 1186  
bingo session. 1187

(12) Permit any person the charitable organization knows, or 1188  
should have known, to be under eighteen years of age to play bingo 1189  
described in division (S)(1) of section 2915.01 of the Revised 1190  
Code. 1191

(D)(1) Except as otherwise provided in division (D)(3) of 1192  
this section, no charitable organization shall provide to a bingo 1193

game operator, and no bingo game operator shall receive or accept, 1194  
any commission, wage, salary, reward, tip, donation, gratuity, or 1195  
other form of compensation, directly or indirectly, regardless of 1196  
the source, for conducting bingo or providing other work or labor 1197  
at the site of bingo during a bingo session. 1198

(2) Except as otherwise provided in division (D)(3) of this 1199  
section, no charitable organization shall provide to a bingo game 1200  
operator any commission, wage, salary, reward, tip, donation, 1201  
gratuity, or other form of compensation, directly or indirectly, 1202  
regardless of the source, for conducting instant bingo other than 1203  
at a bingo session at the site of instant bingo other than at a 1204  
bingo session. 1205

(3) Nothing in division (D) of this section prohibits an 1206  
employee of a fraternal organization, veteran's organization, or 1207  
sporting organization from selling instant bingo tickets or cards 1208  
to the organization's members or invited guests, as long as no 1209  
portion of the employee's compensation is paid from any receipts 1210  
of bingo. 1211

(E) Notwithstanding division (B)(1) of this section, a 1212  
charitable organization that, prior to December 6, 1977, has 1213  
entered into written agreements for the lease of premises it owns 1214  
to another charitable organization or other charitable 1215  
organizations for the conducting of bingo sessions so that more 1216  
than two bingo sessions are conducted per calendar week on the 1217  
premises, and a person that is not a charitable organization and 1218  
that, prior to December 6, 1977, has entered into written 1219  
agreements for the lease of premises it owns to charitable 1220  
organizations for the conducting of more than two bingo sessions 1221  
per calendar week on the premises, may continue to lease the 1222  
premises to those charitable organizations, provided that no more 1223  
than four sessions are conducted per calendar week, that the 1224  
lessor organization or person has notified the attorney general in 1225



writing of the organizations that will conduct the sessions and 1226  
the days of the week and the times of the day on which the 1227  
sessions will be conducted, that the initial lease entered into 1228  
with each organization that will conduct the sessions was filed 1229  
with the attorney general prior to December 6, 1977, and that each 1230  
organization that will conduct the sessions was issued a license 1231  
to conduct bingo games by the attorney general prior to December 1232  
6, 1977. 1233

(F) This section does not prohibit a bingo licensed 1234  
charitable organization or a game operator from giving any person 1235  
an instant bingo ticket as a prize. 1236

(G) Whoever violates division (A)(2) of this section is 1237  
guilty of illegally conducting a bingo game, a felony of the 1238  
fourth degree. Except as otherwise provided in this division, 1239  
whoever violates division (A)(1) or (3), (B)(1), (2), or (3), 1240  
(C)(1) to (12), or (D) of this section is guilty of a minor 1241  
misdemeanor. If the offender previously has been convicted of a 1242  
violation of division (A)(1) or (3), (B)(1), (2), or (3), (C)(1) 1243  
to (11), or (D) of this section, a violation of division (A)(1) or 1244  
(3), (B)(1), (2), or (3), (C), or (D) of this section is a 1245  
misdemeanor of the first degree. Whoever violates division (C)(12) 1246  
of this section is guilty of a misdemeanor of the first degree, if 1247  
the offender previously has been convicted of a violation of 1248  
division (C)(12) of this section, a felony of the fourth degree. 1249

**Sec. 2915.095.** The attorney general, by rule adopted pursuant 1250  
to section 111.15 of the Revised Code, shall establish a standard 1251  
contract to be used by a charitable instant bingo organization, a 1252  
veteran's organization, a fraternal organization, or a sporting 1253  
organization for the conduct of instant bingo other than at a 1254  
bingo session or charitable electronic instant bingo. The terms of 1255  
the contract shall be limited to the provisions in Chapter 2915. 1256

of the Revised Code. 1257

Sec. 2915.096. (A) No charitable organization that conducts 1258  
charitable electronic instant bingo shall do any of the following: 1259

(1) Fail to comply with the requirements of divisions (A)(1), 1260  
(2), and (3) of section 2915.09 of the Revised Code; 1261

(2) Conduct charitable electronic instant bingo unless that 1262  
organization is, and has received from the internal revenue 1263  
service a determination letter that is currently in effect stating 1264  
that the organization is, exempt from federal income taxation 1265  
under subsection 501(a), is described in subsection 501(c)(7), 1266  
501(c)(8), 501(c)(10), or 501(c)(19), or is a veteran's 1267  
organization described in subsection 501(c)(4) of the Internal 1268  
Revenue Code, and conducts instant bingo under section 2915.13 of 1269  
the Revised Code; 1270

(3) Conduct charitable electronic instant bingo on any day, 1271  
at any time, or at any premises not specified on the 1272  
organization's license issued under section 2915.08 of the Revised 1273  
Code; 1274

(4) Permit any person whom the organization knows or should 1275  
have known has been convicted of a felony or gambling offense in 1276  
any jurisdiction to operate or perform any type of maintenance in 1277  
the conduct of charitable electronic instant bingo; 1278

(5) Purchase or lease supplies used to conduct charitable 1279  
electronic instant bingo from any person except a distributor 1280  
licensed under section 2915.081 of the Revised Code; 1281

(6) Allow a person under eighteen years of age to play, 1282  
wager, operate, or perform any type of maintenance in the conduct 1283  
of charitable electronic instant bingo; 1284

(7) Pay any compensation to a bingo maintenance person for 1285

|   |      |
|---|------|
| <u>conducting charitable electronic instant bingo;</u>                    | 1286 |
| <u>(8) Pay fees to any person who provides refreshments to</u>            | 1287 |
| <u>charitable electronic instant bingo participants from the profits</u>  | 1288 |
| <u>of the charitable electronic instant bingo;</u>                        | 1289 |
| <u>(9) Allow charitable electronic instant bingo to be played by</u>      | 1290 |
| <u>a bingo maintenance person at a premises at which the organization</u> | 1291 |
| <u>conducts charitable electronic instant bingo or to be played by</u>    | 1292 |
| <u>employees of a person issued a D liquor permit under Chapter 4303.</u> | 1293 |
| <u>of the Revised Code who are working at a premises at which</u>         | 1294 |
| <u>charitable electronic instant bingo is conducted;</u>                  | 1295 |
| <u>(10) Possess a charitable electronic instant bingo machine</u>         | 1296 |
| <u>that was not purchased or leased from a distributor licensed under</u> | 1297 |
| <u>section 2915.081 of the Revised Code as reflected on a seal</u>        | 1298 |
| <u>affixed by the attorney general under that section;</u>                | 1299 |
| <u>(11) Fail to pay a player for any reason other than fraud by</u>       | 1300 |
| <u>the player or malfunction of the machine;</u>                          | 1301 |
| <u>(12) Possess charitable electronic instant bingo supplies</u>          | 1302 |
| <u>that were not obtained in accordance with sections 2915.01 to</u>      | 1303 |
| <u>2915.13 of the Revised Code.</u>                                       | 1304 |
| <u>(B) A veteran's organization, fraternal organization, or</u>           | 1305 |
| <u>sporting organization that conducts charitable electronic instant</u>  | 1306 |
| <u>bingo shall limit the conduct of charitable electronic instant</u>     | 1307 |
| <u>bingo to the organization's premises and to the organization's</u>     | 1308 |
| <u>members and invited guests.</u>  | 1309 |
| <u>(C) A veteran's organization, fraternal organization, or</u>           | 1310 |
| <u>sporting organization with a membership of at least one hundred</u>    | 1311 |
| <u>members shall be permitted up to four charitable electronic</u>        | 1312 |
| <u>instant bingo machines. Each organization shall be permitted one</u>   | 1313 |
| <u>additional machine for each additional one hundred members, with a</u> | 1314 |
| <u>maximum of twenty total machines for each organization.</u>            | 1315 |

(D) If a veteran's organization, fraternal organization, or sporting organization licensed to conduct charitable electronic instant bingo under section 2915.08 of the Revised Code has been issued a liquor permit under Chapter 4303. of the Revised Code, the liquor permit may be subject to suspension, revocation, or cancellation if the organization violates this chapter. 1316  
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(E) The attorney general may adopt rules under Chapter 119. of the Revised Code to govern the conduct of charitable electronic instant bingo. Before adopting any such rules, the attorney general shall reference the recommended standards for randomization, minimum information, winner protection, and other standards established by the North American gaming regulators association. 1322  
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(F) Whoever violates division (A) of this section or a rule adopted under division (E) of this section is guilty of illegal charitable electronic instant bingo conduct. For the first offense, illegal charitable electronic instant bingo conduct is a misdemeanor of the first degree. For each subsequent offense, illegal charitable electronic instant bingo conduct is a felony of the fifth degree. 1329  
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**Sec. 2915.101.** Except as otherwise provided by law, a charitable organization that conducts instant bingo or charitable electronic instant bingo shall distribute the net profit from the proceeds of the sale of instant bingo or charitable electronic instant bingo as follows: 1336  
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(A)(1) If a veteran's organization, a fraternal organization, or a sporting organization conducted the instant bingo or charitable electronic instant bingo, the organization shall distribute the net profit from the proceeds of the sale of instant bingo or charitable electronic instant bingo, as follows: 1341  
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(a) For the first two hundred fifty thousand dollars, or a 1346

greater amount prescribed by the attorney general to adjust for 1347  
changes in prices as measured by the consumer price index as 1348  
defined in section 325.18 of the Revised Code and other factors 1349  
affecting the organization's expenses as defined in division (LL) 1350  
of section 2915.01 of the Revised Code, or less of net profit from 1351  
the proceeds of the sale of instant bingo or charitable electronic 1352  
instant bingo generated in a calendar year: 1353

(i) At least twenty-five per cent shall be distributed to an 1354  
organization described in division (Z)(1) of section 2915.01 of 1355  
the Revised Code or to a department or agency of the federal 1356  
government, the state, or any political subdivision. 1357

(ii) Not more than seventy-five per cent may be deducted and 1358  
retained by the organization for reimbursement of or for the 1359  
organization's expenses, as defined in division (LL) of section 1360  
2915.01 of the Revised Code, in conducting the instant bingo or 1361  
charitable electronic instant bingo game. 1362

(b) For any net profit from the proceeds of the sale of 1363  
instant bingo or charitable electronic instant bingo of more than 1364  
two hundred fifty thousand dollars or an adjusted amount generated 1365  
in a calendar year: 1366

(i) A minimum of fifty per cent shall be distributed to an 1367  
organization described in division (Z)(1) of section 2915.01 of 1368  
the Revised Code or to a department or agency of the federal 1369  
government, the state, or any political subdivision. 1370

(ii) Five per cent may be distributed for the organization's 1371  
own charitable purposes or to a community action agency. 1372

(iii) Forty-five per cent may be deducted and retained by the 1373  
organization for reimbursement of or for the organization's 1374  
expenses, as defined in division (LL) of section 2915.01 of the 1375  
Revised Code, in conducting the instant bingo or charitable 1376  
electronic instant bingo game. 1377

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

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

(C) Nothing in this section prohibits a veteran's organization, a fraternal organization, or a sporting organization from distributing any net profit from the proceeds of the sale of instant bingo or charitable electronic instant bingo to an organization that is described in subsection 501(c)(3) of the Internal Revenue Code when the organization that is described in subsection 501(c)(3) of the Internal Revenue Code is one that makes donations to other organizations and permits donors to advise or direct such donations so long as the donations comply with requirements established in or pursuant to subsection 501(c)(3) of the Internal Revenue Code.

**Sec. 2915.12.** (A) Sections 2915.07 to 2915.11 of the Revised Code do not apply to bingo games that are conducted for the

purpose of amusement only. A bingo game is conducted for the 1409  
purpose of amusement only if it complies with all of the 1410  
requirements specified in either division (A)(1) or (2) of this 1411  
section: 1412

(1)(a) The participants do not pay any money or any other 1413  
thing of value including an admission fee, or any fee for bingo 1414  
cards or sheets, objects to cover the spaces, or other devices 1415  
used in playing bingo, for the privilege of participating in the 1416  
bingo game, or to defray any costs of the game, or pay tips or 1417  
make donations during or immediately before or after the bingo 1418  
game. 1419

(b) All prizes awarded during the course of the game are 1420  
nonmonetary, and in the form of merchandise, goods, or 1421  
entitlements to goods or services only, and the total value of all 1422  
prizes awarded during the game is less than one hundred dollars. 1423

(c) No commission, wages, salary, reward, tip, donation, 1424  
gratuity, or other form of compensation, either directly or 1425  
indirectly, and regardless of the source, is paid to any bingo 1426  
game operator for work or labor performed at the site of the bingo 1427  
game. 1428

(d) The bingo game is not conducted either during or within 1429  
ten hours of any of the following: 1430

(i) A bingo session during which a charitable bingo game is 1431  
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1432  
Code; 1433

(ii) A scheme or game of chance, or bingo described in 1434  
division (S)(2) of section 2915.01 of the Revised Code. 1435

(e) The number of players participating in the bingo game 1436  
does not exceed fifty. 1437

(2)(a) The participants do not pay money or any other thing 1438

of value as an admission fee, and no participant is charged more 1439  
than twenty-five cents to purchase a bingo card or sheet, objects 1440  
to cover the spaces, or other devices used in playing bingo. 1441

(b) The total amount of money paid by all of the participants 1442  
for bingo cards or sheets, objects to cover the spaces, or other 1443  
devices used in playing bingo does not exceed one hundred dollars. 1444

(c) All of the money paid for bingo cards or sheets, objects 1445  
to cover spaces, or other devices used in playing bingo is used 1446  
only to pay winners monetary and nonmonetary prizes and to provide 1447  
refreshments. 1448

(d) The total value of all prizes awarded during the game 1449  
does not exceed one hundred dollars. 1450

(e) No commission, wages, salary, reward, tip, donation, 1451  
gratuity, or other form of compensation, either directly or 1452  
indirectly, and regardless of the source, is paid to any bingo 1453  
game operator for work or labor performed at the site of the bingo 1454  
game. 1455

(f) The bingo game is not conducted during or within ten 1456  
hours of either of the following: 1457

(i) A bingo session during which a charitable bingo game is 1458  
conducted pursuant to sections 2915.07 to 2915.11 of the Revised 1459  
Code; 1460

(ii) A scheme of chance or game of chance, or bingo described 1461  
in division (S)(2) or (3) of section 2915.01 of the Revised Code. 1462

(g) All of the participants reside at the premises where the 1463  
bingo game is conducted. 1464

(h) The bingo games are conducted on different days of the 1465  
week and not more than twice in a calendar week. 1466

(B) The attorney general or any local law enforcement agency 1467  
may investigate the conduct of a bingo game that purportedly is 1468



conducted for purposes of amusement only if there is reason to 1469  
believe that the purported amusement bingo game does not comply 1470  
with the requirements of either division (A)(1) or (2) of this 1471  
section. A local law enforcement agency may proceed by action in 1472  
the proper court to enforce this section if the local law 1473  
enforcement agency gives written notice to the attorney general 1474  
when commencing the action. 1475

**Section 2.** That existing sections 2915.01, 2915.08, 2915.081, 1476  
2915.09, 2915.095, 2915.101, and 2915.12 of the Revised Code are 1477  
hereby repealed. 1478