

As Referred by the House Rules and Reference Committee

130th General Assembly

Regular Session

2013-2014

H. B. No. 325

Representative Perales

Cosponsors: Representatives Buchy, Phillips, Huffman, Brenner

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A B I L L

To amend sections 109.32, 2915.01, 2915.08, 2915.081, 1
2915.082, 2915.092, 2915.095, 2915.10, and 2915.13 2
and to enact sections 2915.083 and 2915.096 of the 3
Revised Code to allow charitable video bingo by 4
veteran's, fraternal, and sporting organizations. 5

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

Section 1. That sections 109.32, 2915.01, 2915.08, 2915.081, 6
2915.082, 2915.092, 2915.095, 2915.10, and 2915.13 be amended and 7
sections 2915.083 and 2915.096 of the Revised Code be enacted to 8
read as follows: 9

Sec. 109.32. All annual filing fees obtained by the attorney 10
general pursuant to section 109.31 of the Revised Code, all 11
receipts obtained from the sale of the charitable foundations 12
directory, all registration fees received by the attorney general, 13
bond forfeitures, awards of costs and attorney's fees, and civil 14
penalties assessed under Chapter 1716. of the Revised Code, and 15
all license fees received by the attorney general under section 16
2915.08, 2915.081, ~~or~~ 2915.082, or 2915.083 of the Revised Code 17
shall be paid into the state treasury to the credit of the 18
charitable law fund. The charitable law fund shall be used insofar 19

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

Sec. 2915.01. As used in this chapter: 32

(A) "Bookmaking" means the business of receiving or paying 33
off bets. 34

(B) "Bet" means the hazarding of anything of value upon the 35
result of an event, undertaking, or contingency, but does not 36
include a bona fide business risk. 37

(C) "Scheme of chance" means a slot machine unless authorized 38
under Chapter 3772. of the Revised Code, lottery unless authorized 39
under Chapter 3770. of the Revised Code, numbers game, pool 40
conducted for profit, or other scheme in which a participant gives 41
a valuable consideration for a chance to win a prize, but does not 42
include bingo, a skill-based amusement machine, or a pool not 43
conducted for profit. "Scheme of chance" includes the use of an 44
electronic device to reveal the results of a game entry if 45
valuable consideration is paid, directly or indirectly, for a 46
chance to win a prize. Valuable consideration is deemed to be paid 47
for a chance to win a prize in the following instances: 48

(1) Less than fifty per cent of the goods or services sold by 49
a scheme of chance operator in exchange for game entries are used 50

or redeemed by participants at any one location; 51

(2) Less than fifty per cent of participants who purchase 52
goods or services at any one location do not accept, use, or 53
redeem the goods or services sold or purportedly sold; 54

(3) More than fifty per cent of prizes at any one location 55
are revealed to participants through an electronic device 56
simulating a game of chance or a "casino game" as defined in 57
section 3772.01 of the Revised Code; 58

(4) The good or service sold by a scheme of chance operator 59
in exchange for a game entry cannot be used or redeemed in the 60
manner advertised; 61

(5) A participant pays more than fair market value for goods 62
or services offered by a scheme of chance operator in order to 63
receive one or more game entries; 64

(6) A participant may use the electronic device to purchase 65
additional game entries; 66

(7) A participant may purchase additional game entries by 67
using points or credits won as prizes while using the electronic 68
device; 69

(8) A scheme of chance operator pays out in prize money more 70
than twenty per cent of the gross revenue received at one 71
location; or 72

(9) A participant makes a purchase or exchange in order to 73
obtain any good or service that may be used to facilitate play on 74
the electronic device. 75

As used in this division, "electronic device" means a 76
mechanical, video, digital, or electronic machine or device that 77
is capable of displaying information on a screen or other 78
mechanism and that is owned, leased, or otherwise possessed by any 79
person conducting a scheme of chance, or by that person's 80

partners, affiliates, subsidiaries, or contractors. 81

(D) "Game of chance" means poker, craps, roulette, or other 82
game in which a player gives anything of value in the hope of 83
gain, the outcome of which is determined largely by chance, but 84
does not include bingo. 85

(E) "Game of chance conducted for profit" means any game of 86
chance designed to produce income for the person who conducts or 87
operates the game of chance, but does not include bingo. 88

(F) "Gambling device" means any of the following: 89

(1) A book, totalizer, or other equipment for recording bets; 90

(2) A ticket, token, or other device representing a chance, 91
share, or interest in a scheme of chance or evidencing a bet; 92

(3) A deck of cards, dice, gaming table, roulette wheel, slot 93
machine, or other apparatus designed for use in connection with a 94
game of chance; 95

(4) Any equipment, device, apparatus, or paraphernalia 96
specially designed for gambling purposes; 97

(5) Bingo supplies sold or otherwise provided, or used, in 98
violation of this chapter; 99

(6) Skill-based amusement machines, slot machines, and 100
charitable video bingo supplies sold or otherwise provided or used 101
in violation of this chapter. 102

(G) "Gambling offense" means any of the following: 103

(1) A violation of section 2915.02, 2915.03, 2915.04, 104
2915.05, 2915.06, 2915.07, 2915.08, 2915.081, 2915.082, 2915.083, 105
2915.09, 2915.091, 2915.092, 2915.093, 2915.094, 2915.096, 106
2915.10, ~~or~~ 2915.101, 2915.11, or 2915.13 of the Revised Code; 107

(2) A violation of an existing or former municipal ordinance 108
or law of this or any other state or the United States 109

substantially equivalent to any section listed in division (G)(1) 110
of this section or a violation of section 2915.06 of the Revised 111
Code as it existed prior to July 1, 1996; 112

(3) An offense under an existing or former municipal 113
ordinance or law of this or any other state or the United States, 114
of which gambling is an element; 115

(4) A conspiracy or attempt to commit, or complicity in 116
committing, any offense under division (G)(1), (2), or (3) of this 117
section. 118

(H) Except as otherwise provided in this chapter, "charitable 119
organization" means either of the following: 120

(1) An organization that is, and has received from the 121
internal revenue service a determination letter that currently is 122
in effect stating that the organization is, exempt from federal 123
income taxation under subsection 501(a) and described in 124
subsection 501(c)(3) of the Internal Revenue Code; 125

(2) A volunteer rescue service organization, volunteer 126
firefighter's organization, veteran's organization, fraternal 127
organization, or sporting organization that is exempt from federal 128
income taxation under subsection 501(c)(4), (c)(7), (c)(8), 129
(c)(10), or (c)(19) of the Internal Revenue Code. 130

To qualify as a "charitable organization," an organization 131
shall have been in continuous existence as such in this state for 132
a period of two years immediately preceding either the making of 133
an application for a bingo license under section 2915.08 of the 134
Revised Code or the conducting of any game of chance as provided 135
in division (D) of section 2915.02 of the Revised Code. 136

(I) "Religious organization" means any church, body of 137
communicants, or group that is not organized or operated for 138
profit and that gathers in common membership for regular worship 139
and religious observances. 140

(J) "Veteran's organization" means any individual post or 141
state headquarters of a national veteran's association or an 142
auxiliary unit of any individual post of a national veteran's 143
association, which post, state headquarters, or auxiliary unit is 144
incorporated as a nonprofit corporation and either has received a 145
letter from the state headquarters of the national veteran's 146
association indicating that the individual post or auxiliary unit 147
is in good standing with the national veteran's association or has 148
received a letter from the national veteran's association 149
indicating that the state headquarters is in good standing with 150
the national veteran's association. As used in this division, 151
"national veteran's association" means any veteran's association 152
that has been in continuous existence as such for a period of at 153
least five years and either is incorporated by an act of the 154
United States congress or has a national dues-paying membership of 155
at least five thousand persons. 156

(K) "Volunteer firefighter's organization" means any 157
organization of volunteer firefighters, as defined in section 158
146.01 of the Revised Code, that is organized and operated 159
exclusively to provide financial support for a volunteer fire 160
department or a volunteer fire company and that is recognized or 161
ratified by a county, municipal corporation, or township. 162

(L) "Fraternal organization" means any society, order, state 163
headquarters, or association within this state, except a college 164
or high school fraternity, that is not organized for profit, that 165
is a branch, lodge, or chapter of a national or state 166
organization, that exists exclusively for the common business or 167
sodality of its members. 168

(M) "Volunteer rescue service organization" means any 169
organization of volunteers organized to function as an emergency 170
medical service organization, as defined in section 4765.01 of the 171
Revised Code. 172

(N) "Charitable bingo game" means any bingo game described in 173
division (O)(1) or (2) of this section that is conducted by a 174
charitable organization that has obtained a license pursuant to 175
section 2915.08 of the Revised Code and the proceeds of which are 176
used for a charitable purpose. 177

(O) "Bingo" means either of the following: 178

(1) A game with all of the following characteristics: 179

(a) The participants use bingo cards or sheets, including 180
paper formats and electronic representation or image formats, that 181
are divided into twenty-five spaces arranged in five horizontal 182
and five vertical rows of spaces, with each space, except the 183
central space, being designated by a combination of a letter and a 184
number and with the central space being designated as a free 185
space. 186

(b) The participants cover the spaces on the bingo cards or 187
sheets that correspond to combinations of letters and numbers that 188
are announced by a bingo game operator. 189

(c) A bingo game operator announces combinations of letters 190
and numbers that appear on objects that a bingo game operator 191
selects by chance, either manually or mechanically, from a 192
receptacle that contains seventy-five objects at the beginning of 193
each game, each object marked by a different combination of a 194
letter and a number that corresponds to one of the seventy-five 195
possible combinations of a letter and a number that can appear on 196
the bingo cards or sheets. 197

(d) The winner of the bingo game includes any participant who 198
properly announces during the interval between the announcements 199
of letters and numbers as described in division (O)(1)(c) of this 200
section, that a predetermined and preannounced pattern of spaces 201
has been covered on a bingo card or sheet being used by the 202
participant. 203

(2) Instant bingo, punch boards, ~~and~~ raffles, and charitable video bingo. 204
205

(P) "Conduct" means to back, promote, organize, manage, carry 206
on, sponsor, or prepare for the operation of bingo or a game of 207
chance, a scheme of chance, or a sweepstakes. 208

(Q) "Bingo game operator" means any person, except security 209
personnel, who performs work or labor at the site of bingo, 210
including, but not limited to, collecting money from participants, 211
handing out bingo cards or sheets or objects to cover spaces on 212
bingo cards or sheets, selecting from a receptacle the objects 213
that contain the combination of letters and numbers that appear on 214
bingo cards or sheets, calling out the combinations of letters and 215
numbers, distributing prizes, selling or redeeming instant bingo 216
or charitable video bingo tickets or cards, supervising the 217
operation of a punch board, selling raffle tickets, selecting 218
raffle tickets from a receptacle and announcing the winning 219
numbers in a raffle, ~~and~~ preparing, selling, and serving food or 220
beverages, supervising the operation of charitable video bingo, 221
and accessing player terminals and charitable video bingo devices 222
other than as a participant. "Bingo game operator" does not 223
include licensed charitable video bingo distributors and employees 224
of those distributors. 225

(R) "Participant" means any person who plays bingo. 226

(S) "Bingo session" means a period that includes both of the 227
following: 228

(1) Not to exceed five continuous hours for the conduct of 229
one or more games described in division (O)(1) of this section, 230
instant bingo, and seal cards; 231

(2) A period for the conduct of instant bingo and seal cards 232
for not more than two hours before and not more than two hours 233
after the period described in division (S)(1) of this section. 234

(T) "Gross receipts" means all money or assets, including 235
admission fees, that a person receives from bingo without the 236
deduction of any amounts for prizes paid out or for the expenses 237
of conducting bingo. "Gross receipts" does not include any money 238
directly taken in from the sale of food or beverages by a 239
charitable organization conducting bingo, or by a bona fide 240
auxiliary unit or society of a charitable organization conducting 241
bingo, provided all of the following apply: 242

(1) The auxiliary unit or society has been in existence as a 243
bona fide auxiliary unit or society of the charitable organization 244
for at least two years prior to conducting bingo. 245

(2) The person who purchases the food or beverage receives 246
nothing of value except the food or beverage and items customarily 247
received with the purchase of that food or beverage. 248

(3) The food and beverages are sold at customary and 249
reasonable prices. 250

(U) "Security personnel" includes any person who either is a 251
sheriff, deputy sheriff, marshal, deputy marshal, township 252
constable, or member of an organized police department of a 253
municipal corporation or has successfully completed a peace 254
officer's training course pursuant to sections 109.71 to 109.79 of 255
the Revised Code and who is hired to provide security for the 256
premises on which bingo is conducted. 257

(V) "Charitable purpose" means that the net profit of bingo, 258
other than instant bingo, is used by, or is given, donated, or 259
otherwise transferred to, any of the following: 260

(1) Any organization that is described in subsection 261
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 262
and is either a governmental unit or an organization that is tax 263
exempt under subsection 501(a) and described in subsection 264
501(c)(3) of the Internal Revenue Code; 265

(2) A veteran's organization that is a post, chapter, or organization of veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post, chapter, or organization organized in the United States or any of its possessions, at least seventy-five per cent of the members of which are veterans and substantially all of the other members of which are individuals who are spouses, widows, or widowers of veterans, or such individuals, provided that no part of the net earnings of such post, chapter, or organization inures to the benefit of any private shareholder or individual, and further provided that the net profit is used by the post, chapter, or organization for the charitable purposes set forth in division (B)(12) of section 5739.02 of the Revised Code, is used for awarding scholarships to or for attendance at an institution mentioned in division (B)(12) of section 5739.02 of the Revised Code, is donated to a governmental agency, or is used for nonprofit youth activities, the purchase of United States or Ohio flags that are donated to schools, youth groups, or other bona fide nonprofit organizations, promotion of patriotism, or disaster relief;

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

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

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

(X) "Youth athletic organization" means any organization, not

organized for profit, that is organized and operated exclusively 298
to provide financial support to, or to operate, athletic 299
activities for persons who are twenty-one years of age or younger 300
by means of sponsoring, organizing, operating, or contributing to 301
the support of an athletic team, club, league, or association. 302

(Y) "Youth athletic park organization" means any 303
organization, not organized for profit, that satisfies both of the 304
following: 305

(1) It owns, operates, and maintains playing fields that 306
satisfy both of the following: 307

(a) The playing fields are used at least one hundred days per 308
year for athletic activities by one or more organizations, not 309
organized for profit, each of which is organized and operated 310
exclusively to provide financial support to, or to operate, 311
athletic activities for persons who are eighteen years of age or 312
younger by means of sponsoring, organizing, operating, or 313
contributing to the support of an athletic team, club, league, or 314
association. 315

(b) The playing fields are not used for any profit-making 316
activity at any time during the year. 317

(2) It uses the proceeds of bingo it conducts exclusively for 318
the operation, maintenance, and improvement of its playing fields 319
of the type described in division (Y)(1) of this section. 320

(Z) "Bingo supplies" means bingo cards or sheets; instant 321
bingo tickets or cards; electronic bingo aids; raffle tickets; 322
punch boards; seal cards; instant bingo ticket dispensers; and 323
devices for selecting or displaying the combination of bingo 324
letters and numbers or raffle tickets. Items that are "bingo 325
supplies" are not gambling devices if sold or otherwise provided, 326
and used, in accordance with this chapter. For purposes of this 327
chapter, "bingo supplies" are not to be considered equipment used 328

to conduct a bingo game. "Bingo supplies" does not include 329
charitable video bingo supplies. 330

(AA) "Instant bingo" means a form of bingo that shall use 331
folded or banded tickets or paper cards with perforated break-open 332
tabs, a face of which is covered or otherwise hidden from view to 333
conceal a number, letter, or symbol, or set of numbers, letters, 334
or symbols, some of which have been designated in advance as prize 335
winners, and may also include games in which some winners are 336
determined by the random selection of one or more bingo numbers by 337
the use of a seal card or bingo blower. In all "instant bingo" the 338
prize amount and structure shall be predetermined. "Instant bingo" 339
does not include any device that is activated by the insertion of 340
a coin, currency, token, or an equivalent, and that contains as 341
one of its components a video display monitor that is capable of 342
displaying numbers, letters, symbols, or characters in winning or 343
losing combinations. 344

(BB) "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

(CC) "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

(DD) "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

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

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

(GG) "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; | 390 391 392 393 |
| (12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted; | 394 395 |
| (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. | 396 397 398 399 |
| (HH) "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. | 400 401 402 |
| (II) "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, <u>or 2915.083</u> of the Revised Code or a charitable gaming license issued by another jurisdiction. | 403 404 405 406 |
| (JJ) "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, <u>or 2915.083</u> of the Revised Code or a charitable gaming license issued by another jurisdiction. | 407 408 409 410 |
| (KK) "Distributor" means any person who purchases or obtains bingo supplies and who does either of the following: | 411 412 |
| (1) Sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person for use in this state; | 413 414 415 |
| (2) Modifies, converts, adds to, or removes parts from the bingo supplies to further their promotion or sale for use in this state. | 416 417 418 |
| (LL) "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

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

(NN) "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

(OO)(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 a player 458
terminal, charitable video bingo device, or any device into which 459
a coin, currency, token, or an equivalent is inserted to activate 460
play. 461

(PP) "~~Deal of instant bingo tickets~~" means a single game of 462
instant bingo tickets or a single game of charitable video bingo 463
tickets all with the same serial number. 464

(QQ)(1) "Slot machine" means either of the following: 465

(a) Any mechanical, electronic, video, or digital device that 466
is capable of accepting anything of value, directly or indirectly, 467
from or on behalf of a player who gives the thing of value in the 468
hope of gain; 469

(b) Any mechanical, electronic, video, or digital device that 470
is capable of accepting anything of value, directly or indirectly, 471
from or on behalf of a player to conduct bingo or a scheme or game 472
of chance. 473

(2) "Slot machine" does not include a skill-based amusement 474
machine ~~or~~, an instant bingo ticket dispenser, or a player 475
terminal or charitable video bingo device used to conduct licensed 476
charitable video bingo. 477

(RR) "Net profit from the proceeds of the sale of instant 478
bingo" means gross profit minus the ordinary, necessary, and 479

reasonable expense expended for the purchase of instant bingo 480
supplies, and, in the case of instant bingo conducted by a 481
veteran's, fraternal, or sporting organization, minus the payment 482
by that organization of real property taxes and assessments levied 483
on a premises on which instant bingo is conducted. 484

(SS) "Charitable instant bingo organization" means an 485
organization that is exempt from federal income taxation under 486
subsection 501(a) and described in subsection 501(c)(3) of the 487
Internal Revenue Code and is a charitable organization as defined 488
in this section. A "charitable instant bingo organization" does 489
not include a charitable organization that is exempt from federal 490
income taxation under subsection 501(a) and described in 491
subsection 501(c)(3) of the Internal Revenue Code and that is 492
created by a veteran's organization, a fraternal organization, or 493
a sporting organization in regards to bingo conducted or assisted 494
by a veteran's organization, a fraternal organization, or a 495
sporting organization pursuant to section 2915.13 of the Revised 496
Code. 497

(TT) "Game flare" means the board or placard that accompanies 498
each deal of instant bingo tickets or each deal of charitable 499
video bingo tickets and that has printed on or affixed to it the 500
following information for the game, as applicable: 501

(1) The name of the game; 502

(2) The manufacturer's or charitable video bingo 503
distributor's name or distinctive logo; 504

(3) The instant bingo form number; 505

(4) The instant bingo ticket count or charitable video bingo 506
ticket count; 507

(5) The prize structure, including the number of winning 508
instant bingo tickets or charitable video bingo tickets by 509
denomination and the respective winning symbol or number 510

| | |
|---|-----|
| combinations for the winning instant bingo tickets <u>or charitable</u> | 511 |
| <u>video bingo tickets;</u> | 512 |
| (6) The cost per play; | 513 |
| (7) The serial number of the game. | 514 |
| (UU)(1) "Skill-based amusement machine" means a mechanical, | 515 |
| video, digital, or electronic device that rewards the player or | 516 |
| players, if at all, only with merchandise prizes or with | 517 |
| redeemable vouchers redeemable only for merchandise prizes, | 518 |
| provided that with respect to rewards for playing the game all of | 519 |
| the following apply: | 520 |
| (a) The wholesale value of a merchandise prize awarded as a | 521 |
| result of the single play of a machine does not exceed ten | 522 |
| dollars; | 523 |
| (b) Redeemable vouchers awarded for any single play of a | 524 |
| machine are not redeemable for a merchandise prize with a | 525 |
| wholesale value of more than ten dollars; | 526 |
| (c) Redeemable vouchers are not redeemable for a merchandise | 527 |
| prize that has a wholesale value of more than ten dollars times | 528 |
| the fewest number of single plays necessary to accrue the | 529 |
| redeemable vouchers required to obtain that prize; and | 530 |
| (d) Any redeemable vouchers or merchandise prizes are | 531 |
| distributed at the site of the skill-based amusement machine at | 532 |
| the time of play. | 533 |
| A card for the purchase of gasoline is a redeemable voucher | 534 |
| for purposes of division (UU)(1) of this section even if the | 535 |
| skill-based amusement machine for the play of which the card is | 536 |
| awarded is located at a place where gasoline may not be legally | 537 |
| distributed to the public or the card is not redeemable at the | 538 |
| location of, or at the time of playing, the skill-based amusement | 539 |
| machine. | 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 (UU)(1) of this section:

(a) As used in division (UU) of 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 (UU)(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

(VV) "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 (VV)(1), (2), or (3) of this section. 592

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

(XX) "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

(YY) "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 league of Ohio sportsmen, and 603
that has been in continuous existence in this state for a period 604
of three years. 605

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

(AAA)(1) "Sweepstakes terminal device" means a mechanical, 608
video, digital, or electronic machine or device that is owned, 609
leased, or otherwise possessed by any person conducting a 610
sweepstakes, or by that person's partners, affiliates, 611
subsidiaries, or contractors, that is intended to be used by a 612
sweepstakes participant, and that is capable of displaying 613
information on a screen or other mechanism. A device is a 614
sweepstakes terminal device if any of the following apply: 615

(a) The device uses a simulated game terminal as a 616
representation of the prizes associated with the results of the 617
sweepstakes entries. 618

(b) The device utilizes software such that the simulated game 619
influences or determines the winning of or value of the prize. 620

(c) The device selects prizes from a predetermined finite 621
pool of entries. 622

(d) The device utilizes a mechanism that reveals the content 623
of a predetermined sweepstakes entry. 624

(e) The device predetermines the prize results and stores 625
those results for delivery at the time the sweepstakes entry 626
results are revealed. 627

(f) The device utilizes software to create a game result. 628

(g) The device reveals the prize incrementally, even though 629
the device does not influence the awarding of the prize or the 630

value of any prize awarded. 631

(h) The device determines and associates the prize with an 632
entry or entries at the time the sweepstakes is entered. 633

(2) As used in this division and in section 2915.02 of the 634
Revised Code: 635

(a) "Enter" means the act by which a person becomes eligible 636
to receive any prize offered in a sweepstakes. 637

(b) "Entry" means one event from the initial activation of 638
the sweepstakes terminal device until all the sweepstakes prize 639
results from that activation are revealed. 640

(c) "Prize" means any gift, award, gratuity, good, service, 641
credit, reward, or any other thing of value that may be 642
transferred to a person, whether possession of the prize is 643
actually transferred, or placed on an account or other record as 644
evidence of the intent to transfer the prize. 645

(d) "Sweepstakes terminal device facility" means any location 646
in this state where a sweepstakes terminal device is provided to a 647
sweepstakes participant, except as provided in division (G) of 648
section 2915.02 of the Revised Code. 649

(BBB) "Sweepstakes" means any game, contest, advertising 650
scheme or plan, or other promotion where consideration is not 651
required for a person to enter to win or become eligible to 652
receive any prize, the determination of which is based upon 653
chance. "Sweepstakes" does not include bingo as authorized under 654
this chapter, pari-mutuel wagering as authorized by Chapter 3769. 655
of the Revised Code, lotteries conducted by the state lottery 656
commission as authorized by Chapter 3770. of the Revised Code, and 657
casino gaming as authorized by Chapter 3772. of the Revised Code. 658

(CCC) "Charitable video bingo" means a form of bingo played 659
in an electronic environment in which a participant wins if the 660

participant's charitable video bingo ticket contains a number or a 661
combination of numbers or symbols that was designated in advance 662
of the game as a winning combination. "Charitable video bingo" 663
shall have all of the following characteristics: 664

(1) Games use charitable video bingo tickets played using 665
either player terminals or charitable video bingo devices. 666

(2) Each deal has a predetermined, finite number of winning 667
and losing tickets and a predetermined prize amount and deal 668
structure. There may be multiple winning combinations in each deal 669
and multiple winning tickets. 670

(3) Each player terminal or charitable video bingo device at 671
a location utilizes the same deal until the deal is depleted. The 672
use of multiple deals at the same location at the same time is 673
prohibited. Each transaction or play at a location shall provide 674
the participant with an equal chance of winning. 675

(4) Games have the same price for each ticket in the deal and 676
utilize a unique serial number for each deal that shall not be 677
regenerated. 678

(5) Games have no electro-mechanical spinning reels that 679
mimic a slot machine. 680

(6) Player terminals or charitable video bingo devices may 681
incorporate an amusement game feature as part of the charitable 682
video bingo game, but shall not require additional consideration 683
or award any prize other than what was originally predetermined. 684

(7) After the participant purchases a charitable video bingo 685
ticket, the combination of numbers or symbols on that ticket is 686
revealed to the participant. 687

(8) Following play, the result shall be displayed and prizes 688
awarded. Prizes may be dispensed in the form of cash, coin, cash 689
voucher, merchandise prize, or cashless wagering system approved 690

by the attorney general. 691

(DDD) "Player terminal" means an electronic terminal housed 692
in a cabinet with input devices and video screens or displays on 693
which participants play charitable video bingo. 694

(EEE) "Charitable video bingo device" means a handheld 695
electronic device used to facilitate the play of a charitable 696
video bingo ticket. 697

(FFF) "Charitable video bingo supplies" means equipment and 698
software used to conduct, manage, or record charitable video bingo 699
or to report and transmit game results, payout, and profit, 700
including, charitable video bingo games, deals, player terminals, 701
charitable video bingo devices, meters, point of sale terminals, 702
and recording, monitoring, and reporting software. 703

(GGG) "Net profit from the proceeds of the sale of charitable 704
video bingo" means gross profit minus the ordinary, necessary, and 705
reasonable expense expended for the purchase or lease of 706
charitable video bingo supplies. 707

(HHH) "Charitable video bingo distributor" means any person 708
who sells, offers for sale, or otherwise provides or offers to 709
provide charitable video bingo supplies to another person for use 710
in this state or who manufactures, modifies, converts, adds to, or 711
removes parts from charitable video bingo supplies to further the 712
promotion or sale of charitable video bingo supplies for use in 713
this state. 714

(III) "Report management system" means a centralized computer 715
reporting and accounting system that receives data from each 716
player terminal and each charitable video bingo device via a 717
defined communication protocol by either a dedicated line, dial-up 718
system, or other secure transmission method. 719

Sec. 2915.08. (A)(1) Annually before the first day of 720

January, a charitable organization that desires to conduct bingo, 721
instant bingo at a bingo session, ~~or~~ instant bingo other than at a 722
bingo session, or charitable video bingo shall make out, upon a 723
form to be furnished by the attorney general for that purpose, an 724
application for a license to conduct bingo, instant bingo at a 725
bingo session, ~~or~~ instant bingo other than at a bingo session, or 726
charitable video bingo and deliver that application to the 727
attorney general together with a license fee as follows: 728

(a) Except as otherwise provided in this division, for a 729
license for the conduct of bingo, as described in division (O)(1) 730
of section 2915.01 of the Revised Code, two hundred dollars; 731

(b) For a license for the conduct of instant bingo at a bingo 732
session ~~or~~, instant bingo other than at a bingo session, or 733
charitable video bingo for a charitable organization that 734
previously has not been licensed under this chapter to conduct 735
instant bingo at a bingo session ~~or~~, instant bingo other than at a 736
bingo session, or charitable video bingo, a license fee of five 737
hundred dollars, and for any other charitable organization, a 738
license fee that is based upon the gross profits received by the 739
charitable organization from the operation of instant bingo at a 740
bingo session ~~or~~, instant bingo other than at a bingo session, or 741
charitable video bingo, during the one-year period ending on the 742
thirty-first day of October of the year immediately preceding the 743
year for which the license is sought, and that is one of the 744
following: 745

(i) Five hundred dollars, if the total is fifty thousand 746
dollars or less; 747

(ii) One thousand two hundred fifty dollars plus one-fourth 748
per cent of the gross profit, if the total is more than fifty 749
thousand dollars but less than two hundred fifty thousand one 750
dollars; 751

(iii) Two thousand two hundred fifty dollars plus one-half 752
per cent of the gross profit, if the total is more than two 753
hundred fifty thousand dollars but less than five hundred thousand 754
one dollars; 755

(iv) Three thousand five hundred dollars plus one per cent of 756
the gross profit, if the total is more than five hundred thousand 757
dollars but less than one million one dollars; 758

(v) Five thousand dollars plus one per cent of the gross 759
profit, if the total is one million one dollars or more+. 760

(c) A reduced license fee established by the attorney general 761
pursuant to division (G) of this section-i 762

(d) For a license to conduct bingo for a charitable 763
organization that prior to July 1, 2003, has not been licensed 764
under this chapter to conduct bingo, instant bingo at a bingo 765
session, or instant bingo other than at a bingo session, a license 766
fee established by rule by the attorney general in accordance with 767
division (H) of this section. 768

(2) The application shall be in the form prescribed by the 769
attorney general, shall be signed and sworn to by the applicant, 770
and shall contain all of the following: 771

(a) The name and post-office address of the applicant; 772

(b) A statement that the applicant is a charitable 773
organization and that it has been in continuous existence as a 774
charitable organization in this state for two years immediately 775
preceding the making of the application; 776

(c) The location at which the organization will conduct 777
bingo, which location shall be within the county in which the 778
principal place of business of the applicant is located, the days 779
of the week and the times on each of those days when bingo will be 780
conducted, whether the organization owns, leases, or subleases the 781

premises, and a copy of the rental agreement if it leases or 782
subleases the premises; 783

(d) A statement of the applicant's previous history, record, 784
and association that is sufficient to establish that the applicant 785
is a charitable organization, and a copy of a determination letter 786
that is issued by the Internal Revenue Service and states that the 787
organization is tax exempt under subsection 501(a) and described 788
in subsection 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 789
501(c)(10), or 501(c)(19) of the Internal Revenue Code; 790

(e) A statement as to whether the applicant has ever had any 791
previous application refused, whether it previously has had a 792
license revoked or suspended, and the reason stated by the 793
attorney general for the refusal, revocation, or suspension; 794

(f) A statement of the charitable purposes for which the net 795
profit derived from bingo, other than instant bingo, and 796
charitable video bingo, will be used, and a statement of how the 797
net profit ~~derived~~ from the proceeds of the sale of instant bingo 798
will be distributed in accordance with section 2915.101 of the 799
Revised Code, and a statement of how net profit from the proceeds 800
of charitable video bingo will be distributed in accordance with 801
section 2915.096 of the Revised Code; 802

(g) Other necessary and reasonable information that the 803
attorney general may require by rule adopted pursuant to section 804
111.15 of the Revised Code; 805

(h) If the applicant is a charitable trust as defined in 806
section 109.23 of the Revised Code, a statement as to whether it 807
has registered with the attorney general pursuant to section 808
109.26 of the Revised Code or filed annual reports pursuant to 809
section 109.31 of the Revised Code, and, if it is not required to 810
do either, the exemption in section 109.26 or 109.31 of the 811
Revised Code that applies to it; 812

(i) If the applicant is a charitable organization as defined 813
in section 1716.01 of the Revised Code, a statement as to whether 814
it has filed with the attorney general a registration statement 815
pursuant to section 1716.02 of the Revised Code and a financial 816
report pursuant to section 1716.04 of the Revised Code, and, if it 817
is not required to do both, the exemption in section 1716.03 of 818
the Revised Code that applies to it: 819

~~(j) In the case of an applicant seeking to qualify as a youth 820
athletic park organization, a statement issued by a board or body 821
vested with authority under Chapter 755. of the Revised Code for 822
the supervision and maintenance of recreation facilities in the 823
territory in which the organization is located, certifying that 824
the playing fields owned by the organization were used for at 825
least one hundred days during the year in which the statement is 826
issued, and were open for use to all residents of that territory, 827
regardless of race, color, creed, religion, sex, or national 828
origin, for athletic activities by youth athletic organizations 829
that do not discriminate on the basis of race, color, creed, 830
religion, sex, or national origin, and that the fields were not 831
used for any profit making activity at any time during the year. 832
That type of board or body is authorized to issue the statement 833
upon request and shall issue the statement if it finds that the 834
applicant's playing fields were so used. 835~~

(3) The attorney general, within thirty days after receiving 836
a timely filed application from a charitable organization that has 837
been issued a license under this section that has not expired and 838
has not been revoked or suspended, shall send a temporary permit 839
to the applicant specifying the date on which the application was 840
filed with the attorney general and stating that, pursuant to 841
section 119.06 of the Revised Code, the applicant may continue to 842
conduct bingo until a new license is granted or, if the 843
application is rejected, until fifteen days after notice of the 844

rejection is mailed to the applicant. The temporary permit does 845
not affect the validity of the applicant's application and does 846
not grant any rights to the applicant except those rights 847
specifically granted in section 119.06 of the Revised Code. The 848
issuance of a temporary permit by the attorney general pursuant to 849
this division does not prohibit the attorney general from 850
rejecting the applicant's application because of acts that the 851
applicant committed, or actions that the applicant failed to take, 852
before or after the issuance of the temporary permit. 853

(4) Within thirty days after receiving an initial license 854
application from a charitable organization to conduct bingo, 855
instant bingo at a bingo session, ~~or~~ instant bingo other than at a 856
bingo session, or charitable video bingo, the attorney general 857
shall conduct a preliminary review of the application and notify 858
the applicant regarding any deficiencies. Once an application is 859
deemed complete, or beginning on the thirtieth day after the 860
application is filed, if the attorney general failed to notify the 861
applicant of any deficiencies, the attorney general shall have an 862
additional sixty days to conduct an investigation and either grant 863
or deny the application based on findings established and 864
communicated in accordance with divisions (B) and (E) of this 865
section. As an option to granting or denying an initial license 866
application, the attorney general may grant a temporary license 867
and request additional time to conduct the investigation if the 868
attorney general has cause to believe that additional time is 869
necessary to complete the investigation and has notified the 870
applicant in writing about the specific concerns raised during the 871
investigation. 872

(B)(1) The attorney general shall adopt rules to enforce 873
sections 2915.01, 2915.02, and 2915.07 to 2915.13 of the Revised 874
Code to ensure that bingo or instant bingo is conducted in 875
accordance with those sections and to maintain proper control over 876

the conduct of bingo ~~or instant bingo~~. The rules, except rules 877
adopted pursuant to divisions (A)(2)(g) and (G) of this section, 878
shall be adopted pursuant to Chapter 119. of the Revised Code. The 879
attorney general shall license charitable organizations to conduct 880
bingo, instant bingo at a bingo session, ~~or~~ instant bingo other 881
than at a bingo session, or charitable video bingo in conformance 882
with this chapter and with the licensing provisions of Chapter 883
119. of the Revised Code. 884

(2) The attorney general may refuse to grant a license to any 885
organization, or revoke or suspend the license of any 886
organization, that does any of the following or to which any of 887
the following applies: 888

(a) Fails or has failed at any time to meet any requirement 889
of section 109.26, 109.31, or 1716.02, or sections 2915.07 to 890
~~2915.11~~ 2915.13 of the Revised Code, or violates or has violated 891
any provision of sections 2915.02 or 2915.07 to 2915.13 of the 892
Revised Code or any rule adopted by the attorney general pursuant 893
to this ~~section~~ chapter; 894

(b) Makes or has made an incorrect or false statement that is 895
material to the granting of the license in an application filed 896
pursuant to division (A) of this section; 897

(c) Submits or has submitted any incorrect or false 898
information relating to an application if the information is 899
material to the granting of the license; 900

(d) Maintains or has maintained any incorrect or false 901
information that is material to the granting of the license in the 902
records required to be kept pursuant to ~~divisions (A) and (C) of~~ 903
section 2915.10 of the Revised Code, if applicable; 904

(e) The attorney general has good cause to believe that the 905
organization will not conduct bingo, instant bingo at a bingo 906
session, ~~or~~ instant bingo other than at a bingo session, or 907

charitable video bingo in accordance with sections 2915.07 to 908
2915.13 of the Revised Code or with any rule adopted by the 909
attorney general pursuant to this ~~section~~ chapter. 910

(3) For the purposes of division (B) of this section, any 911
action of an officer, trustee, agent, representative, or bingo 912
game operator of an organization is an action of the organization. 913

(C) The attorney general may grant licenses to charitable 914
organizations that are branches, lodges, or chapters of national 915
charitable organizations. 916

(D) The attorney general shall send notice in writing to the 917
prosecuting attorney and sheriff of the county in which the 918
organization will conduct bingo, instant bingo at a bingo session, 919
~~or~~ instant bingo other than at a bingo session, or charitable 920
video bingo, as stated in its application for a license or amended 921
license, and to any other law enforcement agency in that county 922
that so requests, of all of the following: 923

(1) The issuance of the license; 924

(2) The issuance of the amended license; 925

(3) The rejection of an application for and refusal to grant 926
a license; 927

(4) The revocation of any license previously issued; 928

(5) The suspension of any license previously issued. 929

(E) A license issued by the attorney general shall set forth 930
the information contained on the application of the charitable 931
organization that the attorney general determines is relevant, 932
including, but not limited to, the location at which the 933
organization will conduct bingo, instant bingo at a bingo session, 934
~~or~~ instant bingo other than at a bingo session, or charitable 935
video bingo and the days of the week and the times on each of 936
those days when bingo will be conducted. If the attorney general 937

refuses to grant or revokes or suspends a license, the attorney 938
general shall notify the applicant in writing and specifically 939
identify the reason for the refusal, revocation, or suspension in 940
narrative form and, if applicable, by identifying the section of 941
the Revised Code violated. The failure of the attorney general to 942
give the written notice of the reasons for the refusal, 943
revocation, or suspension or a mistake in the written notice does 944
not affect the validity of the attorney general's refusal to 945
grant, or the revocation or suspension of, a license. If the 946
attorney general fails to give the written notice or if there is a 947
mistake in the written notice, the applicant may bring an action 948
to compel the attorney general to comply with this division or to 949
correct the mistake, but the attorney general's order refusing to 950
grant, or revoking or suspending, a license shall not be enjoined 951
during the pendency of the action. 952

(F) A charitable organization that has been issued a license 953
pursuant to division (B) of this section but that cannot conduct 954
bingo ~~or~~, instant bingo, or charitable video bingo at the 955
location, or on the day of the week or at the time, specified on 956
the license due to circumstances that make it impractical to do so 957
may apply in writing, together with an application fee of two 958
hundred fifty dollars, to the attorney general, at least thirty 959
days prior to a change in location, day of the week, or time, and 960
request an amended license. The application shall describe the 961
causes making it impractical for the organization to conduct bingo 962
~~or~~, instant bingo, or charitable video bingo in conformity with 963
its license and shall indicate the location, days of the week, and 964
times on each of those days when it desires to conduct bingo ~~or~~, 965
instant bingo, or charitable video bingo. Except as otherwise 966
provided in this division, the attorney general shall issue the 967
amended license in accordance with division (E) of this section, 968
and the organization shall surrender its original license to the 969
attorney general. The attorney general may refuse to grant an 970

amended license according to the terms of division (B) of this section. 971
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(G) The attorney general, by rule adopted pursuant to section 111.15 of the Revised Code, shall establish a schedule of reduced license fees for charitable organizations that desire to conduct bingo or instant bingo during fewer than twenty-six weeks in any calendar year. 973
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(H) The attorney general, by rule adopted pursuant to section 111.15 of the Revised Code, shall establish license fees for the conduct of bingo, instant bingo at a bingo session, ~~or~~ instant bingo other than at a bingo session, or charitable video bingo for charitable organizations that prior to July 1, 2003, have not been licensed to conduct bingo, instant bingo at a bingo session, ~~or~~ instant bingo other than at a bingo session, or charitable video bingo under this chapter. 978
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(I) The attorney general may enter into a written contract with any other state agency to delegate to that state agency the powers prescribed to the attorney general under Chapter 2915. of the Revised Code. 986
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(J) The attorney general, by rule adopted pursuant to section 111.15 of the Revised Code, may adopt rules to determine the requirements for 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 to be in good standing in the state. 990
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Sec. 2915.081. (A) No distributor shall sell, offer to sell, or otherwise provide or offer to provide bingo supplies to another person, or modify, convert, add to, or remove parts from bingo supplies to further their promotion or sale, for use in this state without having obtained a license from the attorney general under this section. 996
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(B) The attorney general may issue a distributor license to any person that meets the requirements of this section. The application for the license shall be on a form prescribed by the attorney general and be accompanied by the annual fee prescribed by this section. The license is valid for a period of one year, and the annual fee for the license is five thousand dollars.

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

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

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

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

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

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

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

(7) The person, officer, or partner has violated any provision of this chapter or any rule adopted by the attorney general under this chapter.

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

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

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

sampling. 1065

(3) No distributor shall purchase bingo supplies for use in 1066
this state from any person except from a manufacturer issued a 1067
license under section 2915.082 of the Revised Code or from another 1068
distributor issued a license under this section. Subject to 1069
division (D) of section 2915.082 of the Revised Code, no 1070
distributor shall pay for purchased bingo supplies other than by 1071
check or electronic fund transfer. 1072

(4) No distributor shall participate in the conduct of bingo 1073
on behalf of a charitable organization or have any direct or 1074
indirect ownership interest in a premises used for the conduct of 1075
bingo. 1076

(5) No distributor shall knowingly solicit, offer, pay, or 1077
receive any kickback, bribe, or undocumented rebate, directly or 1078
indirectly, overtly or covertly, in cash or in kind, in return for 1079
providing bingo supplies to any person in this state. 1080

(F) The attorney general may suspend or revoke a distributor 1081
license for any of the reasons for which the attorney general may 1082
refuse to issue a distributor license specified in division (C) of 1083
this section or if the distributor holding the license violates 1084
any provision of this chapter or any rule adopted by the attorney 1085
general under this chapter. 1086

(G) Whoever violates division (A) or (E) of this section is 1087
guilty of illegally operating as a distributor. Except as 1088
otherwise provided in this division, illegally operating as a 1089
distributor is a misdemeanor of the first degree. If the offender 1090
previously has been convicted of a violation of division (A) or 1091
(E) of this section, illegally operating as a distributor is a 1092
felony of the fifth degree. 1093

Sec. 2915.082. (A) No manufacturer shall sell, offer to sell, 1094

or otherwise provide or offer to provide bingo supplies for use in 1095
this state without having obtained a license from the attorney 1096
general under this section. 1097

(B) The attorney general may issue a manufacturer license to 1098
any person that meets the requirements of this section. The 1099
application for the license shall be on a form prescribed by the 1100
attorney general and be accompanied by the annual fee prescribed 1101
by this section. The license is valid for a period of one year, 1102
and the annual fee for the license is five thousand dollars. 1103

(C) The attorney general may refuse to issue a manufacturer 1104
license to any person to which any of the following applies, or to 1105
any person that has an officer, partner, or other person who has 1106
an ownership interest of ten per cent or more and to whom any of 1107
the following applies: 1108

(1) The person, officer, or partner has been convicted of a 1109
felony under the laws of this state, another state, or the United 1110
States. 1111

(2) The person, officer, or partner has been convicted of any 1112
gambling offense. 1113

(3) The person, officer, or partner has made an incorrect or 1114
false statement that is material to the granting of a license in 1115
an application submitted to the attorney general under this 1116
section or in a similar application submitted to a gambling 1117
licensing authority in another jurisdiction if the statement 1118
resulted in license revocation through administrative action in 1119
the other jurisdiction. 1120

(4) The person, officer, or partner has submitted any 1121
incorrect or false information relating to the application to the 1122
attorney general under this section, if the information is 1123
material to the granting of the license. 1124

(5) The person, officer, or partner has failed to correct any 1125
incorrect or false information that is material to the granting of 1126
the license in the records required to be maintained under 1127
division (F) of section 2915.10 of the Revised Code. 1128

(6) The person, officer, or partner has had a license related 1129
to gambling revoked or suspended under the laws of this state, 1130
another state, or the United States. 1131

(7) The person, officer, or partner has violated any 1132
provision of this chapter or any rule adopted by the attorney 1133
general under this chapter. 1134

(D)(1) No manufacturer shall sell, offer to sell, or 1135
otherwise provide or offer to provide bingo supplies to any person 1136
for use in this state except to a distributor that has been issued 1137
a license under section 2915.081 of the Revised Code. No 1138
manufacturer shall accept payment for the sale of bingo supplies 1139
other than by check or electronic fund transfer. 1140

(2) No manufacturer shall knowingly solicit, offer, pay, or 1141
receive any kickback, bribe, or undocumented rebate, directly or 1142
indirectly, overtly or covertly, in cash or in kind, in return for 1143
providing bingo supplies to any person in this state. 1144

(E)(1) The attorney general may suspend or revoke a 1145
manufacturer license for any of the reasons for which the attorney 1146
general may refuse to issue a manufacturer license specified in 1147
division (C) of this section or if the manufacturer holding the 1148
license violates any provision of this chapter or any rule adopted 1149
by the attorney general under this chapter. 1150

(2) The attorney general may perform an onsite inspection of 1151
a manufacturer of bingo supplies that is selling, offering to 1152
sell, or otherwise providing or offering to provide bingo supplies 1153
or that is applying for a license to sell, offer to sell, or 1154
otherwise provide or offer to provide bingo supplies in this 1155

state. 1156

(F) Whoever violates division (A) or (D) of this section is 1157
guilty of illegally operating as a manufacturer. Except as 1158
otherwise provided in this division, illegally operating as a 1159
manufacturer is a misdemeanor of the first degree. If the offender 1160
previously has been convicted of a violation of division (A) or 1161
(D) of this section, illegally operating as a manufacturer is a 1162
felony of the fifth degree. 1163

Sec. 2915.083. (A) No charitable video bingo distributor 1164
shall sell, offer to sell, or otherwise provide or offer to 1165
provide charitable video bingo supplies to another person, or 1166
manufacture, modify, convert, add to, or remove parts from 1167
charitable video bingo supplies to further the promotion or sale 1168
of the charitable video bingo supplies for use in this state 1169
without having obtained a license from the attorney general under 1170
this section. 1171

(B) Annually, an applicant for a charitable video bingo 1172
distributor license shall make out, on a form furnished by the 1173
attorney general, an application for a charitable video bingo 1174
distributor license and deliver that application to the attorney 1175
general, together with a license fee set by rule adopted by the 1176
attorney general under section 111.15 of the Revised Code. The 1177
license is valid for one year. Additionally, the attorney general 1178
may assess an applicant a reasonable fee in the amount necessary 1179
to process a charitable video bingo distributor application and 1180
perform an initial or renewal investigation. 1181

(C) The attorney general may refuse to issue a charitable 1182
video bingo distributor license to any person to which any of the 1183
following applies, or to any person that has an officer, partner, 1184
or other person who has an ownership interest of ten per cent or 1185
more and to whom any of the following applies: 1186

- (1) The person, officer, or partner has been convicted of a felony under the laws of this state, another state, or the United States. 1187
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- (2) The person, officer, or partner has been convicted of any gambling offense. 1190
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- (3) The person, officer, or partner has made an incorrect or false statement that is material to the granting of a license in an application submitted to the attorney general under this section. 1192
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- (4) The person, officer, or partner has failed to correct any incorrect or false information that is material to the granting of the license in the records required to be maintained under division (E) of section 2915.10 of the Revised Code. 1196
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- (5) The person, officer, or partner has had a license related to gambling revoked or suspended or an application related to gambling rejected under the laws of this state, another state, or the United States. 1200
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- (6) The person, officer, or partner is involved in the conduct of bingo on behalf of a charitable organization or is a lessor of a premises used for the conduct of bingo or has a direct or indirect ownership interest in a premises used for the conduct of bingo. This division does not prohibit a distributor from advising charitable organizations on the use and benefit of specific charitable video bingo supplies or prohibit a distributor from advising a customer on operational methods to improve bingo profitability. 1204
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- (7) The person, officer, or partner's licensure or inclusion would undermine the integrity of charitable gaming in contravention of suitability standards as set forth by rule adopted by the attorney general under this chapter. 1213
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- (8) The person, officer, or partner has violated any 1217

provision of this chapter or any rule adopted by the attorney 1218
general under this chapter. 1219

(D) No charitable video bingo distributor shall sell, offer 1220
to sell, or otherwise provide or offer to provide charitable video 1221
bingo supplies to any person, or manufacture, modify, convert, add 1222
to, or remove parts from charitable video bingo supplies to 1223
further the promotion or sale of the charitable video bingo 1224
supplies for use in this state, except to or for the use of a 1225
charitable organization that is a veterans', fraternal, or 1226
sporting organization licensed by the attorney general to conduct 1227
charitable video bingo or to another charitable video bingo 1228
distributor that has been issued a license under this section. No 1229
charitable video bingo distributor shall accept payment for the 1230
sale or other provision of charitable video bingo supplies other 1231
than by check or electronic funds transfer. 1232

(E) No charitable video bingo distributor shall knowingly 1233
solicit, offer, pay, or receive any kickback, bribe, or 1234
undocumented rebate, directly or indirectly, overtly or covertly, 1235
in cash or in kind, in return for providing charitable video bingo 1236
supplies to any person in this state. 1237

(F) No charitable video bingo distributor shall donate, give, 1238
loan, lease, or otherwise provide any charitable video bingo 1239
supplies, or manufacture, modify, convert, add to, or remove parts 1240
from charitable video bingo supplies to further the promotion or 1241
sale of the charitable video bingo supplies to or for the use of a 1242
charitable organization conditioned on or in consideration for an 1243
exclusive right to provide charitable video bingo supplies to the 1244
charitable organization. 1245

(G) A charitable instant bingo distributor shall have an 1246
office in this state and all charitable video bingo devices shall 1247
be distributed from locations in this state. 1248

(H) No charitable video bingo distributor shall sell, offer to sell, lease, or otherwise provide charitable video bingo supplies to any person in this state unless the charitable video bingo supplies have been approved by the attorney general and unless an independent testing laboratory, certified by the Ohio casino control commission under section 3772.31 of the Revised Code, has issued a report stating that the charitable video bingo supplies have been tested and analyzed and meet the standards required by this chapter and by any rules adopted under this chapter. The charitable video bingo distributor shall pay all costs to test, analyze, and examine charitable video bingo supplies by the certified testing laboratory. The attorney general may assess an annual fee for each player terminal and charitable video bingo device operated in this state as is necessary to review and approve charitable video bingo supplies and to inspect and monitor charitable video bingo. The fee shall be set by rule adopted by the attorney general under section 111.15 of the Revised Code. The charitable video bingo distributor shall be responsible for the cost of such fees.

(I) All player terminals and charitable video bingo devices, regardless of manufacturer, shall interface with the centralized report management system. The report management system shall be controlled by the attorney general, but the attorney general may contract with a state agency or private entity for the creation, operation, and management of the report management system. The report management system shall track all information required by this chapter and by rule adopted by the attorney general under Chapter 119. of the Revised Code. The report management system shall have the capability to monitor all charitable video bingo supplies used in this state in real time and shall have the capability to remotely deactivate charitable video bingo supplies. The report management system shall log, search, and report system events, collect individual player terminal or charitable video

bingo device financial data, reconcile data, and secure the 1282
system. The report management system shall have the capability to 1283
continue to collect data if or whenever an internet connection is 1284
unavailable. The report management system shall utilize a location 1285
server that collects all transactional data from all terminals at 1286
each location and transmits the transaction data to a central 1287
server or repository on an hourly basis. The report management 1288
system shall be located within this state. Licensed charitable 1289
video bingo distributors shall be responsible for all costs 1290
associated with the creation, operation, and maintenance of the 1291
report management system. 1292

(J) The attorney general shall adopt rules under Chapter 119. 1293
of the Revised Code setting forth standards and an approval 1294
process for charitable video bingo supplies and record keeping and 1295
reporting requirements of charitable video bingo distributors, as 1296
well as any other rules necessary to enforce this section or to 1297
ensure that charitable video bingo is conducted in accordance with 1298
this chapter. 1299

(K) The attorney general may reject, suspend, or revoke a 1300
charitable video bingo distributor license for any of the reasons 1301
for which the attorney general may refuse to issue a license 1302
specified in this section or if the charitable video bingo 1303
distributor holding the license violates any provision of this 1304
chapter or any rule adopted by the attorney general under this 1305
chapter. 1306

(L) Whoever violates division (A) or (E) of this section is 1307
guilty of illegally operating as a charitable video bingo 1308
distributor. Except as otherwise provided in this division, 1309
illegally operating as a charitable video bingo distributor is a 1310
felony of the fifth degree. If the offender previously has been 1311
convicted of a violation of division (A) or (E) of this section, 1312
illegally operating as a charitable video bingo distributor is a 1313

felony of the fourth degree. 1314

Whoever violates divisions (D), (F), (G), (H), or (I) of this 1315
section is guilty of illegal charitable electronic distribution. 1316
Except as otherwise provided in this division, illegal charitable 1317
electronic distribution is a misdemeanor of the first degree. If 1318
the offender previously has been convicted of a violation of 1319
division (D), (F), (G), (H), or (I) of this section, illegal 1320
charitable electronic distribution is a felony of the fifth 1321
degree. 1322

Sec. 2915.092. (A)(1) Subject to division (A)(2) of this 1323
section, a charitable organization, a public school, a chartered 1324
nonpublic school, a community school, or a veteran's organization, 1325
fraternal organization, or sporting organization that is exempt 1326
from federal income taxation under subsection 501(a) and is 1327
described in subsection 501(c)(3), 501(c)(4), 501(c)(7), 1328
501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code 1329
may conduct a raffle to raise money for the organization or school 1330
and does not need a license to conduct bingo in order to conduct a 1331
raffle drawing that is not for profit. 1332

(2) If a charitable organization that is described in 1333
division (A)(1) of this section, but that is not also described in 1334
subsection 501(c)(3) of the Internal Revenue Code, conducts a 1335
raffle, the charitable organization shall distribute at least 1336
fifty per cent of the net profit from the raffle to a charitable 1337
purpose described in division (V) of section 2915.01 of the 1338
Revised Code or to a department or agency of the federal 1339
government, the state, or any political subdivision. 1340

(B) Except as provided in division (A) or (B) of this 1341
section, no person shall conduct a raffle drawing that is for 1342
profit or a raffle drawing that is not for profit. 1343

(C) Whoever violates division (B) of this section is guilty 1344

of illegal conduct of a raffle. Except as otherwise provided in 1345
this division, illegal conduct of a raffle is a misdemeanor of the 1346
first degree. If the offender previously has been convicted of a 1347
violation of division (B) of this section, illegal conduct of a 1348
raffle is a felony of the fifth degree. 1349

Sec. 2915.095. (A) The attorney general, by rule adopted 1350
pursuant to section 111.15 of the Revised Code, shall establish a 1351
standard contract to be used by a charitable instant bingo 1352
organization, a veteran's organization, π a fraternal 1353
organization, or a sporting organization for the conduct of 1354
instant bingo other than at a bingo session. The terms of the 1355
contract shall be limited to the provisions in Chapter 2915. of 1356
the Revised Code. 1357

(B) The attorney general, by rule adopted under section 1358
111.15 of the Revised Code, shall establish a standard contract to 1359
be used by a veteran's organization, a fraternal organization, or 1360
a sporting organization for the conduct of charitable video bingo. 1361

Sec. 2915.096. (A) No charitable organization that conducts 1362
charitable video bingo shall do any of the following: 1363

(1) Conduct charitable video bingo unless the organization is 1364
a charitable organization that has received from the internal 1365
revenue service a determination letter that is currently in effect 1366
stating that the organization is exempt from federal income 1367
taxation under subsection 501(a) and is described in subsection 1368
501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is a veteran's 1369
organization described in subsection 501(c)(4) of the Internal 1370
Revenue Code. 1371

(2) Conduct charitable video bingo on any day, at any time, 1372
or at any premises not specified on the organization's license 1373
issued under section 2915.08 of the Revised Code. 1374

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| <u>(3) Permit any person whom the organization knows or should</u> | 1375 |
| <u>have known has been convicted of a felony or a gambling offense in</u> | 1376 |
| <u>any jurisdiction to be a bingo game operator in the conduct of</u> | 1377 |
| <u>charitable video bingo.</u> | 1378 |
| <u>(4) Purchase or lease charitable video bingo supplies from</u> | 1379 |
| <u>any person except a charitable video bingo distributor licensed</u> | 1380 |
| <u>under section 2915.083 of the Revised Code as reflected on an</u> | 1381 |
| <u>invoice issued by the charitable video bingo distributor</u> | 1382 |
| <u>containing all of the information required by rule adopted by the</u> | 1383 |
| <u>attorney general under this chapter.</u> | 1384 |
| <u>(5) Permit participants to play charitable video bingo</u> | 1385 |
| <u>without paying the full price predetermined for each ticket in a</u> | 1386 |
| <u>charitable video bingo deal as reported to the attorney general by</u> | 1387 |
| <u>the charitable video bingo distributor.</u> | 1388 |
| <u>(6) Permit an individual under twenty-one years of age to</u> | 1389 |
| <u>play charitable video bingo.</u> | 1390 |
| <u>(7) Pay consulting fees to any person in relation to</u> | 1391 |
| <u>charitable video bingo.</u> | 1392 |
| <u>(8) Pay compensation to a bingo game operator for conducting</u> | 1393 |
| <u>charitable video bingo. Nothing in this division prohibits an</u> | 1394 |
| <u>employee of a fraternal organization, veteran's organization, or</u> | 1395 |
| <u>sporting organization from selling charitable video bingo tickets</u> | 1396 |
| <u>to the organization's members or invited guests, as long as no</u> | 1397 |
| <u>portion of the employee's compensation is paid from any receipts</u> | 1398 |
| <u>of bingo.</u> | 1399 |
| <u>(9) Pay any fees to any person for any services performed in</u> | 1400 |
| <u>relation to a charitable video bingo game.</u> | 1401 |
| <u>(10) Permit a bingo game operator to play charitable video</u> | 1402 |
| <u>bingo.</u> | 1403 |
| <u>(11) Fail to display the charitable organization's bingo</u> | 1404 |

license and all game flares for active charitable video bingo 1405
deals being played at the location. 1406

(12) Fail, once a charitable video bingo deal is started, to 1407
continue to sell charitable video bingo tickets in that deal until 1408
all prizes are awarded. 1409

(13) Possess or use charitable video bingo supplies that have 1410
not been approved by the attorney general. 1411

(14) Possess a charitable video bingo game with more than one 1412
million tickets. 1413

(15) Possess charitable video bingo supplies that were not 1414
obtained in accordance with this chapter or in accordance with any 1415
rule adopted under this chapter. 1416

(B) A veteran's, fraternal, or sporting organization with a 1417
membership of fewer than one hundred members may obtain up to two 1418
player terminals to conduct charitable video bingo. A veteran's, 1419
fraternal, or sporting organization with a membership of at least 1420
one hundred members may obtain up to four player terminals to 1421
conduct charitable video bingo. Each organization may obtain one 1422
additional player terminal for each additional one hundred 1423
members. No veteran's, fraternal, or sporting organization shall 1424
have more than twenty player terminals. 1425

(C) A charitable organization that conducts charitable video 1426
bingo shall distribute the net profit from the proceeds of the 1427
sale of charitable video bingo as follows: 1428

(1) At least fifty per cent shall be distributed to an 1429
organization described in division (V)(1) of section 2915.01 of 1430
the Revised Code or to a department or agency of the federal 1431
government, the state, or any political subdivision. 1432

(2) Not more than fifty per cent may be deducted and retained 1433
by the organization for reimbursement of or for the organization's 1434

expenses, as defined in division (GG) of section 2915.01 of the 1435
Revised Code, in conducting charitable video bingo. 1436

(D) The attorney general shall adopt rules under Chapter 119. 1437
of the Revised Code to ensure the integrity of charitable video 1438
bingo gaming, including specifying the permissible characteristics 1439
of player terminals, charitable video bingo devices, and 1440
charitable video bingo games and establishing an approval process 1441
for a cashless wagering system. 1442

(E) Whoever violates this section is guilty of illegally 1443
operating charitable video bingo. Except as otherwise provided in 1444
this division, illegally operating charitable video bingo is a 1445
misdemeanor of the first degree. If the offender previously has 1446
been convicted of a violation of this section, illegally operating 1447
charitable video bingo is a felony of the fifth degree. 1448

Sec. 2915.10. (A) No charitable organization that conducts 1449
bingo or a game of chance pursuant to division (D) of section 1450
2915.02 of the Revised Code shall fail to maintain the following 1451
records for at least three years from the date on which the bingo 1452
or game of chance is conducted: 1453

(1) An itemized list of the gross receipts of each bingo 1454
session, each game of instant bingo by serial number, each 1455
charitable video bingo game by serial number, each raffle, each 1456
punch board game, and each game of chance, and an itemized list of 1457
the gross profits of each game of instant bingo by serial number 1458
and of each charitable video bingo game by serial number; 1459

(2) An itemized list of all expenses, other than prizes, that 1460
are incurred in conducting bingo ~~or~~, instant bingo, or charitable 1461
video bingo, the name of each person to whom the expenses are 1462
paid, and a receipt for all of the expenses; 1463

(3) A list of all prizes awarded during each bingo session, 1464

each raffle, each punch board game, and each game of chance 1465
conducted by the charitable organization, the total prizes awarded 1466
from each game of instant bingo by serial number, and from each 1467
charitable video bingo game by serial number, and the name, 1468
address, and social security number of all persons who are winners 1469
of prizes of six hundred dollars or more in value; 1470

(4) An itemized list of the recipients of the net profit of 1471
the bingo or game of chance, including the name and address of 1472
each recipient to whom the money is distributed, and if the 1473
organization uses the net profit of bingo, or the money or assets 1474
received from a game of chance, for any charitable or other 1475
purpose set forth in division (V) of section 2915.01, division (D) 1476
of section 2915.02, or section 2915.101 of the Revised Code, a 1477
list of each purpose and an itemized list of each expenditure for 1478
each purpose; 1479

(5) The number of persons who participate in any bingo 1480
session or game of chance that is conducted by the charitable 1481
organization; 1482

(6) A list of receipts from the sale of food and beverages by 1483
the charitable organization or one of its auxiliary units or 1484
societies, if the receipts were excluded from gross receipts under 1485
division (T) of section 2915.01 of the Revised Code; 1486

(7) An itemized list of all expenses incurred at each bingo 1487
session, each raffle, each punch board game, ~~or~~ each game of 1488
instant bingo, or each game of charitable video bingo conducted by 1489
the charitable organization in the sale of food and beverages by 1490
the charitable organization or by an auxiliary unit or society of 1491
the charitable organization, the name of each person to whom the 1492
expenses are paid, and a receipt for all of the expenses; 1493

(8) Any additional bingo records, including records of 1494
charitable video bingo distributors, required to be kept as 1495

prescribed by rule adopted by the attorney general under this 1496
chapter. 1497

(B) A charitable organization shall keep the records that it 1498
is required to maintain pursuant to division (A) of this section 1499
at its principal place of business in this state or at its 1500
headquarters in this state and shall notify the attorney general 1501
of the location at which those records are kept. 1502

(C) The gross profit from each bingo session or game 1503
described in division (O)(1) or (2) of section 2915.01 of the 1504
Revised Code shall be deposited into a checking account devoted 1505
exclusively to the bingo session or game. Payments for allowable 1506
expenses incurred in conducting the bingo session or game and 1507
payments to recipients of some or all of the net profit of the 1508
bingo session or game shall be made only by checks or electronic 1509
fund transfers drawn on the bingo session or game account. 1510

(D) Each charitable organization shall conduct and record an 1511
inventory of all of its bingo supplies and charitable video bingo 1512
supplies as of the first day of November of each year. 1513

(E) The attorney general may adopt rules in accordance with 1514
Chapter 119. of the Revised Code that establish standards of 1515
accounting, record keeping, and reporting to ensure that gross 1516
receipts from bingo or games of chance are properly accounted for. 1517

(F) A distributor shall maintain, for a period of three years 1518
after the date of its sale or other provision, a record of each 1519
instance of its selling or otherwise providing to another person 1520
bingo supplies for use in this state. The record shall include all 1521
of the following for each instance: 1522

(1) The name of the manufacturer from which the distributor 1523
purchased the bingo supplies and the date of the purchase; 1524

(2) The name and address of the charitable organization or 1525
other distributor to which the bingo supplies were sold or 1526

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| otherwise provided; | 1527 |
| (3) A description that clearly identifies the bingo supplies; | 1528 |
| (4) Invoices that include the nonrepeating serial numbers of all paper bingo cards and sheets and all instant bingo deals sold or otherwise provided to each charitable organization. | 1529 1530 1531 |
| (G) A manufacturer shall maintain, for a period of three years after the date of its sale or other provision, a record of each instance of its selling or otherwise providing bingo supplies for use in this state. The record shall include all of the following for each instance: | 1532 1533 1534 1535 1536 |
| (1) The name and address of the distributor to whom the bingo supplies were sold or otherwise provided; | 1537 1538 |
| (2) A description that clearly identifies the bingo supplies, including serial numbers; | 1539 1540 |
| (3) Invoices that include the nonrepeating serial numbers of all paper bingo cards and sheets and all instant bingo deals sold or otherwise provided to each distributor. | 1541 1542 1543 |
| (H) <u>A charitable video bingo distributor shall maintain, for a period of three years after the date of sale or other provision, all records required to be kept by rules adopted under this section.</u> | 1544 1545 1546 1547 |
| (I) The attorney general or any law enforcement agency may do all of the following: | 1548 1549 |
| (1) Investigate any charitable organization, <u>distributor, manufacturer, charitable video bingo distributor,</u> or any officer, agent, trustee, member, or employee of the organization, <u>distributor, manufacturer, or charitable video bingo distributor;</u> | 1550 1551 1552 1553 |
| (2) Examine the accounts and records of the <u>charitable organization, distributor, manufacturer, or charitable video bingo distributor, or of any officer, agent, trustee, member, or</u> | 1554 1555 1556 |

employee of the charitable organization, distributor, 1557
manufacturer, or charitable video bingo distributor; 1558

(3) Conduct inspections, audits, and observations of bingo or 1559
games of chance; 1560

(4) Conduct inspections of the premises where bingo or games 1561
of chance are conducted or where bingo supplies or charitable 1562
video bingo supplies are manufactured or distributed; 1563

(5) Take any other necessary and reasonable action to 1564
determine if a violation of any provision of sections 2915.01 to 1565
2915.13 of the Revised Code has occurred and to determine whether 1566
section 2915.11 of the Revised Code has been complied with. 1567

If the attorney general or any law enforcement agency has 1568
reasonable grounds to believe that a charitable organization, 1569
distributor, manufacturer, charitable video bingo distributor, or 1570
an officer, agent, trustee, member, or employee of the 1571
organization, distributor, manufacturer, or charitable video bingo 1572
distributor has violated any provision of this chapter, the law 1573
enforcement agency may proceed by action in the proper court to 1574
enforce this chapter, provided that the law enforcement agency 1575
shall give written notice to the attorney general when commencing 1576
an action as described in this division. 1577

~~(I)~~(J) No person shall destroy, alter, conceal, withhold, or 1578
deny access to any accounts or records of a charitable 1579
organization, distributor, manufacturer, or charitable video bingo 1580
distributor that have been requested for examination, or obstruct, 1581
impede, or interfere with any inspection, audit, or observation of 1582
bingo or a game of chance or premises where bingo or a game of 1583
chance is conducted or premises where bingo supplies or charitable 1584
video bingo supplies are manufactured or distributed, or refuse to 1585
comply with any reasonable request of, or obstruct, impede, or 1586
interfere with any other reasonable action undertaken by, the 1587

attorney general or a law enforcement agency pursuant to division 1588
(H) of this section. 1589

~~(J)(K)~~ Whoever violates ~~division (A) or (I)~~ of this section 1590
is guilty of a misdemeanor of the first degree. 1591

Sec. 2915.13. (A) A veteran's organization, a fraternal 1592
organization, or a sporting organization authorized to conduct a 1593
bingo session pursuant to sections 2915.01 to 2915.12 of the 1594
Revised Code may conduct instant bingo other than at a bingo 1595
session or charitable video bingo if all of the following apply: 1596

(1) The veteran's organization, fraternal organization, or 1597
sporting organization limits the sale of instant bingo or 1598
charitable video bingo to twelve hours during any day, provided 1599
that the sale does not begin earlier than ten a.m. and ends not 1600
later than two a.m. 1601

(2) The veteran's organization, fraternal organization, or 1602
sporting organization limits the sale of instant bingo or 1603
charitable video bingo to its own premises and to its own members 1604
and invited guests. 1605

(3) The veteran's organization, fraternal organization, or 1606
sporting organization is raising money for an organization that is 1607
described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the 1608
Internal Revenue Code and is either a governmental unit or an 1609
organization that maintains its principal place of business in 1610
this state, that is exempt from federal income taxation under 1611
subsection 501(a) and described in subsection 501(c)(3) of the 1612
Internal Revenue Code, and that is in good standing in this state 1613
and executes a written contract with that organization as required 1614
in division (B) of this section. 1615

(B) If a veteran's organization, fraternal organization, or 1616
sporting organization authorized to conduct instant bingo or 1617

charitable video bingo pursuant to division (A) of this section is 1618
raising money for another organization that is described in 1619
subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal 1620
Revenue Code and is either a governmental unit or an organization 1621
that maintains its principal place of business in this state, that 1622
is exempt from federal income taxation under subsection 501(a) and 1623
described in subsection 501(c)(3) of the Internal Revenue Code, 1624
and that is in good standing in this state, the veteran's 1625
organization, fraternal organization, or sporting organization 1626
shall execute a written contract with the organization that is 1627
described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the 1628
Internal Revenue Code and is either a governmental unit or an 1629
organization that maintains its principal place of business in 1630
this state, that is exempt from federal income taxation under 1631
subsection 501(a) and described in subsection 501(c)(3) of the 1632
Internal Revenue Code, and that is in good standing in this state 1633
in order to conduct instant bingo or charitable video bingo. That 1634
contract shall include a statement of the percentage of the net 1635
profit from the proceeds of the sale of instant bingo and the net 1636
profit from the proceeds of the sale of charitable video bingo 1637
that the veteran's, fraternal, or sporting organization will be 1638
distributing to the organization that is described in subsection 1639
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 1640
and is either a governmental unit or an organization that 1641
maintains its principal place of business in this state, that is 1642
exempt from federal income taxation under subsection 501(a) and 1643
described in subsection 501(c)(3) of the Internal Revenue Code, 1644
and that is in good standing in this state. 1645

(C)(1) If a veteran's organization, fraternal organization, 1646
or sporting organization authorized to conduct instant bingo or 1647
charitable video bingo pursuant to division (A) of this section 1648
has been issued a liquor permit under Chapter 4303. of the Revised 1649
Code, that permit may be subject to suspension, revocation, or 1650

cancellation if the veteran's organization, fraternal 1651
organization, or sporting organization violates a provision of 1652
this chapter. 1653

(2) No veteran's organization, fraternal organization, or 1654
sporting organization that enters into a written contract pursuant 1655
to division (B) of this section shall violate any provision of 1656
this chapter or permit, aid, or abet any other person in violating 1657
any provision of this chapter. 1658

(D) A veteran's organization, fraternal organization, or 1659
sporting organization shall give all required proceeds earned from 1660
the conduct of instant bingo or charitable video bingo to the 1661
organization with which the veteran's organization, fraternal 1662
organization, or sporting organization has entered into a written 1663
contract. 1664

(E) There is established the charitable video bingo council. 1665
The council shall consist of seven members, who are to be 1666
appointed by the attorney general, and who shall include at least 1667
one member of the veterans of foreign wars, at least one member of 1668
the American legion, at least one member of the AMVETS, at least 1669
one member of the fraternal order of eagles, at least one member 1670
of the loyal order of moose, at least one member of the benevolent 1671
protective order of elks, and at least one member of the Ohio 1672
council of fraternal, veterans and service organizations that are 1673
nominated for appointment by each organization. The members shall 1674
annually vote to elect one member to serve as chairperson. The 1675
members of the council shall serve at the pleasure of the attorney 1676
general, with all terms expiring not later than the term of the 1677
appointing attorney general. Members of the council shall serve 1678
without compensation, including without reimbursement for expenses 1679
that are incurred in the conduct of official duties. The council 1680
shall advise the attorney general with respect to policies and 1681
proposed administrative rules related to charitable video bingo. 1682

rules related to the requirements of the report management system, 1683
and on other related issues at the request of the attorney 1684
general. 1685

(F) Whoever violates division (A), (B), (C), or (D) of this 1686
section is guilty of illegal instant bingo conduct. Except as 1687
otherwise provided in this division, illegal instant bingo conduct 1688
is a misdemeanor of the first degree. If the offender previously 1689
has been convicted of a violation of division (A), (B), (C), or 1690
(D) of this section, illegal instant bingo conduct is a felony of 1691
the fifth degree. 1692

Section 2. That existing sections 109.32, 2915.01, 2915.08, 1693
2915.081 2915.082, 2915.092, 2915.095, 2915.10, and 2915.13 of the 1694
Revised Code are hereby repealed. 1695