



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Sub. S.B. 186 of the 128th G.A. **Date:** January 21, 2010
Status: As Reported by Senate State & Local Government & Veterans Affairs **Sponsor:** Sens. Schuring and Grendell

Local Impact Statement Procedure Required: No — Possible indirect local effects

Contents: Instant bingo dispensers and licensing

State Fiscal Highlights

STATE FUND

FY 2010 – FUTURE YEARS

Charitable Foundations Fund (Fund 4180)

| | |
|--------------|---|
| Revenues | Potential gain in license fees, likely no more than minimal annually |
| Expenditures | Potential increase in administrative and enforcement costs, not likely to exceed minimal annually |

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

- **Attorney General operating expenditures.** It is uncertain how many new licensing applications from charitable organizations may be submitted to the Office of the Attorney General as a result of allowing instant bingo dispensers to be utilized. However, to the extent that the number increases, so too will the workload of the Office's Charitable Foundations Section. The associated administrative and enforcement costs, if any, appear unlikely to exceed minimal annually.
- **Attorney General licensing revenues.** According to staff of the Office of the Attorney General, by explicitly authorizing the use of instant bingo ticket dispensers, the bill may generate a slight increase in the number of licensing applications from charitable organizations.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

Overview

The bill amends existing law relating to charitable gambling in the following ways:

1. Authorizes a charitable organization to purchase, lease, and use instant bingo dispensers;
2. Changes the definition of veterans and fraternal organizations by removing the requirement that a veteran's organization be in continuous existence for at least two years and fraternal organizations be in continuous existence for at least five years;
3. Increases the number of times in a preceding year a veteran's and fraternal organization may lease premises to charitable organizations for festivals at which games of chance are conducted; and
4. Allows a charitable organization to spend a reasonable amount of its gross profit to pay certain property taxes and assessments.

State fiscal effects

Enactment of the bill will mainly affect the revenues and expenditures of the Office of the Attorney General. The Office's Charitable Foundations Section is responsible for licensing: (1) charitable organizations who apply for various bingo-related licenses and (2) manufacturers and distributors of bingo supplies. In addition to its licensing function, the Section is authorized, in cooperation with local law enforcement agencies when necessary and appropriate, to investigate, examine accounts and records, conduct inspections, and take any other necessary and reasonable actions to administer and enforce the Charitable Gambling Law. The Section's operating expenses are financed by moneys appropriated from Fund 4180, which include bingo license fee revenues, with any expenses of the Section in excess of moneys available in Fund 4180 paid from GRF line item 055321, Operating Expenses.

Office of the Attorney General

Instant bingo dispensers

By allowing charitable organizations to purchase, lease, and use instant bingo dispensers, it is possible that some organizations, not already licensed to conduct charitable gaming, may apply for a license and remit the applicable fees to the Office of the Attorney General and therefore be subjected to oversight by the Office. However, it is not possible to determine how many new licensing applications may be submitted as a result of the bill's enactment, or the extent to which the Charitable Foundations Section could be affected.

Other changes to charitable gambling law

Provisions of the bill related to the definitions of veterans and fraternal organizations as well as the manner in which charitable gambling may be conducted are not expected to noticeably effect the revenues or expenditures of the Office of the Attorney General.

Local fiscal effects

The bill is not expected to directly affect the revenues or expenditures of local governments. It could, however, generate indirect effects in that local criminal justice-related agencies assist the Attorney General in the administration and enforcement of the Charitable Gambling Law. From the perspective of local governments, a mix of two possible indirect outcomes is possible as follows.

- Certain local criminal justice-related agencies will not expend resources in the investigation and subsequent prosecution of persons who, under current law, might otherwise have been in violation of the instant bingo ticket dispenser prohibition, which the bill eliminates.
- Certain local criminal justice-related agencies may expend resources in the investigation and subsequent prosecution of persons who, subsequent to the bill's enactment, violate the rules regulating the purchasing, leasing, or use of instant bingo ticket dispensers.

However, it is problematic to predict with any certainty the manner in which this mix of possible indirect outcomes may affect any given local criminal justice system in any given year.