

As Introduced

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H. B. No. 17

Representative Cera

**Cosponsors: Representatives Rogers, Celebrezze, O'Brien, Boggs, Thompson,
Riedel, Smith, K., Hood, Sheehy**

A BILL

To amend sections 2915.08 and 2915.09 of the 1
Revised Code to reduce the licensing fee for 2
charitable organizations conducting instant 3
bingo on five or fewer days per year, and to 4
allow those organizations to change the location 5
and date of the instant bingo sessions after a 6
license has been issued. 7

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

Section 1. That sections 2915.08 and 2915.09 of the 8
Revised Code be amended to read as follows: 9

Sec. 2915.08. (A) (1) Annually before the first day of 10
January, a charitable organization that desires to conduct 11
bingo, instant bingo at a bingo session, or instant bingo other 12
than at a bingo session shall make out, upon a form to be 13
furnished by the attorney general for that purpose, an 14
application for a license to conduct bingo, instant bingo at a 15
bingo session, or instant bingo other than at a bingo session 16
and deliver that application to the attorney general together 17
with a license fee as follows: 18

- (a) Except as otherwise provided in this division, for a license for the conduct of bingo, two hundred dollars;
- (b) For a license for the conduct of instant bingo at a bingo session or instant bingo other than at a bingo session for a charitable organization that previously has not been licensed under this chapter to conduct instant bingo at a bingo session or instant bingo other than at a bingo session, a license fee of five hundred dollars, and for any other charitable organization, a license fee that is based upon the gross profits received by the charitable organization from the operation of instant bingo at a bingo session or instant bingo other than at a bingo session, during the one-year period ending on the thirty-first day of October of the year immediately preceding the year for which the license is sought, and that is one of the following:
- (i) Five hundred dollars, if the total is fifty thousand dollars or less;
- (ii) One thousand two hundred fifty dollars plus one-fourth per cent of the gross profit, if the total is more than fifty thousand dollars but less than two hundred fifty thousand one dollars;
- (iii) Two thousand two hundred fifty dollars plus one-half per cent of the gross profit, if the total is more than two hundred fifty thousand dollars but less than five hundred thousand one dollars;
- (iv) Three thousand five hundred dollars plus one per cent of the gross profit, if the total is more than five hundred thousand dollars but less than one million one dollars;
- (v) Five thousand dollars plus one per cent of the gross profit, if the total is one million one dollars or more.

(c) A reduced license fee established by the attorney 48
general pursuant to division (G) of this section; 49

(d) For a license to conduct bingo for a charitable 50
organization that prior to July 1, 2003, has not been licensed 51
under this chapter to conduct bingo, instant bingo at a bingo 52
session, or instant bingo other than at a bingo session, a 53
license fee established by rule by the attorney general in 54
accordance with division (H) of this section; 55

(e) For a license to conduct instant bingo at a bingo 56
session or instant bingo other than at a bingo session on five 57
or fewer days in a calendar year, a license fee of fifty 58
dollars. 59

(2) The application shall be in the form prescribed by the 60
attorney general, shall be signed and sworn to by the applicant, 61
and shall contain all of the following: 62

(a) The name and post-office address of the applicant; 63

(b) A statement that the applicant is a charitable 64
organization and that it has been in continuous existence as a 65
charitable organization in this state for two years immediately 66
preceding the making of the application; 67

(c) The location at which the organization will conduct 68
bingo, and if the application is for a license to conduct 69
instant bingo at a bingo session or instant bingo other than at 70
a bingo session on five or fewer days in a calendar year, any 71
alternate location at which the applicant may conduct bingo, 72
which location shall be within the county in which the principal 73
place of business of the applicant is located, the days of the 74
week and the times on each of those days when bingo will be 75
conducted, whether the organization owns, leases, or subleases 76

the premises, and a copy of the rental agreement if it leases or 77
subleases the premises; 78

(d) A statement of the applicant's previous history, 79
record, and association that is sufficient to establish that the 80
applicant is a charitable organization, and a copy of a 81
determination letter that is issued by the Internal Revenue 82
Service and states that the organization is tax exempt under 83
subsection 501(a) and described in subsection 501(c) (3), 501(c) 84
(4), 501(c) (7), 501(c) (8), 501(c) (10), or 501(c) (19) of the 85
Internal Revenue Code; 86

(e) A statement as to whether the applicant has ever had 87
any previous application refused, whether it previously has had 88
a license revoked or suspended, and the reason stated by the 89
attorney general for the refusal, revocation, or suspension; 90

(f) A statement of the charitable purposes for which the 91
net profit derived from bingo, other than instant bingo, will be 92
used, and a statement of how the net profit derived from instant 93
bingo will be distributed in accordance with section 2915.101 of 94
the Revised Code; 95

(g) Other necessary and reasonable information that the 96
attorney general may require by rule adopted pursuant to section 97
111.15 of the Revised Code; 98

(h) If the applicant is a charitable trust as defined in 99
section 109.23 of the Revised Code, a statement as to whether it 100
has registered with the attorney general pursuant to section 101
109.26 of the Revised Code or filed annual reports pursuant to 102
section 109.31 of the Revised Code, and, if it is not required 103
to do either, the exemption in section 109.26 or 109.31 of the 104
Revised Code that applies to it; 105

(i) If the applicant is a charitable organization as 106
defined in section 1716.01 of the Revised Code, a statement as 107
to whether it has filed with the attorney general a registration 108
statement pursuant to section 1716.02 of the Revised Code and a 109
financial report pursuant to section 1716.04 of the Revised 110
Code, and, if it is not required to do both, the exemption in 111
section 1716.03 of the Revised Code that applies to it; 112

(j) In the case of an applicant seeking to qualify as a 113
youth athletic park organization, a statement issued by a board 114
or body vested with authority under Chapter 755. of the Revised 115
Code for the supervision and maintenance of recreation 116
facilities in the territory in which the organization is 117
located, certifying that the playing fields owned by the 118
organization were used for at least one hundred days during the 119
year in which the statement is issued, and were open for use to 120
all residents of that territory, regardless of race, color, 121
creed, religion, sex, or national origin, for athletic 122
activities by youth athletic organizations that do not 123
discriminate on the basis of race, color, creed, religion, sex, 124
or national origin, and that the fields were not used for any 125
profit-making activity at any time during the year. That type of 126
board or body is authorized to issue the statement upon request 127
and shall issue the statement if it finds that the applicant's 128
playing fields were so used; 129

(k) In the case of an applicant seeking a license to 130
conduct instant bingo at a bingo session or instant bingo other 131
than at a bingo session on five or fewer days in a calendar 132
year, the specific days during the calendar year and times on 133
those days at which instant bingo shall be conducted. 134

(3) The attorney general, within thirty days after 135

receiving a timely filed application from a charitable 136
organization that has been issued a license under this section 137
that has not expired and has not been revoked or suspended, 138
shall send a temporary permit to the applicant specifying the 139
date on which the application was filed with the attorney 140
general and stating that, pursuant to section 119.06 of the 141
Revised Code, the applicant may continue to conduct bingo until 142
a new license is granted or, if the application is rejected, 143
until fifteen days after notice of the rejection is mailed to 144
the applicant. The temporary permit does not affect the validity 145
of the applicant's application and does not grant any rights to 146
the applicant except those rights specifically granted in 147
section 119.06 of the Revised Code. The issuance of a temporary 148
permit by the attorney general pursuant to this division does 149
not prohibit the attorney general from rejecting the applicant's 150
application because of acts that the applicant committed, or 151
actions that the applicant failed to take, before or after the 152
issuance of the temporary permit. The issuance of a temporary 153
permit by the attorney general pursuant to this division does 154
not allow an applicant for a license to conduct instant bingo at 155
a bingo session or instant bingo at other than a bingo session 156
on five or fewer days in a calendar year to conduct instant 157
bingo on any days and times other than those approved by the 158
attorney general under this section. 159

(4) Within thirty days after receiving an initial license 160
application from a charitable organization to conduct bingo, 161
instant bingo at a bingo session, or instant bingo other than at 162
a bingo session, the attorney general shall conduct a 163
preliminary review of the application and notify the applicant 164
regarding any deficiencies. Once an application is deemed 165
complete, or beginning on the thirtieth day after the 166

application is filed, if the attorney general failed to notify 167
the applicant of any deficiencies, the attorney general shall 168
have an additional sixty days to conduct an investigation and 169
either grant or deny the application based on findings 170
established and communicated in accordance with divisions (B) 171
and (E) of this section. As an option to granting or denying an 172
initial license application, the attorney general may grant a 173
temporary license and request additional time to conduct the 174
investigation if the attorney general has cause to believe that 175
additional time is necessary to complete the investigation and 176
has notified the applicant in writing about the specific 177
concerns raised during the investigation. 178

(B) (1) The attorney general shall adopt rules to enforce 179
sections 2915.01, 2915.02, and 2915.07 to 2915.13 of the Revised 180
Code to ensure that bingo or instant bingo is conducted in 181
accordance with those sections and to maintain proper control 182
over the conduct of bingo or instant bingo. The rules, except 183
rules adopted pursuant to divisions (A) (2) (g) and (G) of this 184
section, shall be adopted pursuant to Chapter 119. of the 185
Revised Code. The attorney general shall license charitable 186
organizations to conduct bingo, instant bingo at a bingo 187
session, or instant bingo other than at a bingo session in 188
conformance with this chapter and with the licensing provisions 189
of Chapter 119. of the Revised Code. 190

(2) The attorney general may refuse to grant a license to 191
any organization, or revoke or suspend the license of any 192
organization, that does any of the following or to which any of 193
the following applies: 194

(a) Fails or has failed at any time to meet any 195
requirement of section 109.26, 109.31, or 1716.02, or sections 196

2915.07 to 2915.11 of the Revised Code, or violates or has 197
violated any provision of sections 2915.02 or 2915.07 to 2915.13 198
of the Revised Code or any rule adopted by the attorney general 199
pursuant to this section; 200

(b) Makes or has made an incorrect or false statement that 201
is material to the granting of the license in an application 202
filed pursuant to division (A) of this section; 203

(c) Submits or has submitted any incorrect or false 204
information relating to an application if the information is 205
material to the granting of the license; 206

(d) Maintains or has maintained any incorrect or false 207
information that is material to the granting of the license in 208
the records required to be kept pursuant to divisions (A) and 209
(C) of section 2915.10 of the Revised Code, if applicable; 210

(e) The attorney general has good cause to believe that 211
the organization will not conduct bingo, instant bingo at a 212
bingo session, or instant bingo other than at a bingo session in 213
accordance with sections 2915.07 to 2915.13 of the Revised Code 214
or with any rule adopted by the attorney general pursuant to 215
this section. 216

(3) For the purposes of division (B) of this section, any 217
action of an officer, trustee, agent, representative, or bingo 218
game operator of an organization is an action of the 219
organization. 220

(C) The attorney general may grant licenses to charitable 221
organizations that are branches, lodges, or chapters of national 222
charitable organizations. 223

(D) The attorney general shall send notice in writing to 224
the prosecuting attorney and sheriff of the county in which the 225

organization will conduct bingo, instant bingo at a bingo 226
session, or instant bingo other than at a bingo session, as 227
stated in its application for a license or amended license, and 228
to any other law enforcement agency in that county that so 229
requests, of all of the following: 230

- (1) The issuance of the license; 231
- (2) The issuance of the amended license; 232
- (3) The rejection of an application for and refusal to 233
grant a license; 234
- (4) The revocation of any license previously issued; 235
- (5) The suspension of any license previously issued. 236

(E) A license issued by the attorney general shall set 237
forth the information contained on the application of the 238
charitable organization that the attorney general determines is 239
relevant, including, but not limited to, the location at which 240
the organization will conduct bingo, instant bingo at a bingo 241
session, or instant bingo other than at a bingo session, any 242
alternate locations identified by organizations applying for a 243
license to conduct instant bingo at a bingo session or instant 244
bingo other than at a bingo session on five or fewer days in a 245
calendar year, and the days of the week and the times on each of 246
those days when bingo will be conducted. If the attorney general 247
refuses to grant or revokes or suspends a license, the attorney 248
general shall notify the applicant in writing and specifically 249
identify the reason for the refusal, revocation, or suspension 250
in narrative form and, if applicable, by identifying the section 251
of the Revised Code violated. The failure of the attorney 252
general to give the written notice of the reasons for the 253
refusal, revocation, or suspension or a mistake in the written 254

notice does not affect the validity of the attorney general's 255
refusal to grant, or the revocation or suspension of, a license. 256
If the attorney general fails to give the written notice or if 257
there is a mistake in the written notice, the applicant may 258
bring an action to compel the attorney general to comply with 259
this division or to correct the mistake, but the attorney 260
general's order refusing to grant, or revoking or suspending, a 261
license shall not be enjoined during the pendency of the action. 262

(F) (1) A charitable organization that has been issued a 263
license pursuant to division (B) of this section, except a 264
license to conduct instant bingo at a bingo session or instant 265
bingo other than at a bingo session on five or fewer days in a 266
calendar year, but that cannot conduct bingo or instant bingo at 267
the location, or on the day of the week or at the time, 268
specified on the license due to circumstances that make it 269
impractical to do so, or that desires to conduct instant bingo 270
other than at a bingo session at additional locations not 271
identified on the license, may apply in writing, together with 272
an application fee of two hundred fifty dollars, to the attorney 273
general, at least thirty days prior to a change in or addition 274
of a location, day of the week, or time, and request an amended 275
license. As applicable, the application shall describe the 276
causes making it impractical for the organization to conduct 277
bingo or instant bingo in conformity with its license and shall 278
indicate the location, days of the week, and times on each of 279
those days when it desires to conduct bingo or instant bingo 280
and, as applicable, shall indicate the additional locations at 281
which it desires to conduct instant bingo other than at a bingo 282
session. Except as otherwise provided in this division, the 283
attorney general shall issue the amended license in accordance 284
with division (E) of this section, and the organization shall 285

surrender its original license to the attorney general. The 286
attorney general may refuse to grant an amended license 287
according to the terms of division (B) of this section. 288

(2) A charitable organization that has been issued a 289
license to conduct instant bingo at a bingo session or instant 290
bingo other than at a bingo session on five or fewer days in a 291
calendar year and desires to conduct instant bingo on a 292
different day, time, or at a different location than is 293
identified on the license may apply in writing to the attorney 294
general for an amended license at least thirty days before a 295
change in day, time, or location of any of the five instant 296
bingo days. As applicable, the applicant shall indicate the day, 297
time, and locations of each of the days on which the 298
organization desires to conduct instant bingo that do not appear 299
on the original license. The attorney general shall issue the 300
amended license in accordance with division (E) of this section, 301
and the organization shall surrender its original license to the 302
attorney general. 303

(G) The attorney general, by rule adopted pursuant to 304
section 111.15 of the Revised Code, shall establish a schedule 305
of reduced license fees for charitable organizations that desire 306
to conduct bingo or instant bingo during fewer than twenty-six 307
weeks in any calendar year. 308

(H) The attorney general, by rule adopted pursuant to 309
section 111.15 of the Revised Code, shall establish license fees 310
for the conduct of bingo, instant bingo at a bingo session, or 311
instant bingo other than at a bingo session for charitable 312
organizations that prior to July 1, 2003, have not been licensed 313
to conduct bingo, instant bingo at a bingo session, or instant 314
bingo other than at a bingo session under this chapter. 315

(I) The attorney general may enter into a written contract 316
with any other state agency to delegate to that state agency the 317
powers prescribed to the attorney general under Chapter 2915. of 318
the Revised Code. 319

(J) The attorney general, by rule adopted pursuant to 320
section 111.15 of the Revised Code, may adopt rules to determine 321
the requirements for a charitable organization that is exempt 322
from federal income taxation under subsection 501(a) and 323
described in subsection 501(c) (3) of the Internal Revenue Code 324
to be in good standing in the state. 325

Sec. 2915.09. (A) No charitable organization that conducts 326
bingo shall fail to do any of the following: 327

(1) Own all of the equipment used to conduct bingo or 328
lease that equipment from a charitable organization that is 329
licensed to conduct bingo, or from the landlord of a premises 330
where bingo is conducted, for a rental rate that is not more 331
than is customary and reasonable for that equipment; 332

(2) Except as otherwise provided in division (A) (3) of 333
this section, use all of the gross receipts from bingo for 334
paying prizes, for reimbursement of expenses for or for renting 335
premises in which to conduct a bingo session, for reimbursement 336
of expenses for or for purchasing or leasing bingo supplies used 337
in conducting bingo, for reimbursement of expenses for or for 338
hiring security personnel, for reimbursement of expenses for or 339
for advertising bingo, or for reimbursement of other expenses or 340
for other expenses listed in division (GG) of section 2915.01 of 341
the Revised Code, provided that the amount of the receipts so 342
spent is not more than is customary and reasonable for a similar 343
purchase, lease, hiring, advertising, or expense. If the 344
building in which bingo is conducted is owned by the charitable 345

organization conducting bingo and the bingo conducted includes a 346
form of bingo described in division (O) (1) of section 2915.01 of 347
the Revised Code, the charitable organization may deduct from 348
the total amount of the gross receipts from each session a sum 349
equal to the lesser of six hundred dollars or forty-five per 350
cent of the gross receipts from the bingo described in that 351
division as consideration for the use of the premises. 352

(3) Use, or give, donate, or otherwise transfer, all of 353
the net profit derived from bingo, other than instant bingo, for 354
a charitable purpose listed in its license application and 355
described in division (V) of section 2915.01 of the Revised 356
Code, or distribute all of the net profit from the proceeds of 357
the sale of instant bingo as stated in its license application 358
and in accordance with section 2915.101 of the Revised Code. 359

(B) No charitable organization that conducts a bingo game 360
described in division (O) (1) of section 2915.01 of the Revised 361
Code shall fail to do any of the following: 362

(1) Conduct the bingo game on premises that are owned by 363
the charitable organization, on premises that are owned by 364
another charitable organization and leased from that charitable 365
organization for a rental rate not in excess of the lesser of 366
six hundred dollars per bingo session or forty-five per cent of 367
the gross receipts of the bingo session, on premises that are 368
leased from a person other than a charitable organization for a 369
rental rate that is not more than is customary and reasonable 370
for premises that are similar in location, size, and quality but 371
not in excess of four hundred fifty dollars per bingo session, 372
or on premises that are owned by a person other than a 373
charitable organization, that are leased from that person by 374
another charitable organization, and that are subleased from 375

that other charitable organization by the charitable 376
organization for a rental rate not in excess of four hundred 377
fifty dollars per bingo session. No charitable organization is 378
required to pay property taxes or assessments on premises that 379
the charitable organization leases from another person to 380
conduct bingo sessions. If the charitable organization leases 381
from a person other than a charitable organization the premises 382
on which it conducts bingo sessions, the lessor of the premises 383
shall provide the premises to the organization and shall not 384
provide the organization with bingo game operators, security 385
personnel, concessions or concession operators, bingo supplies, 386
or any other type of service. A charitable organization shall 387
not lease or sublease premises that it owns or leases to more 388
than three other charitable organizations per calendar week for 389
conducting bingo sessions on the premises. A person that is not 390
a charitable organization shall not lease premises that it owns, 391
leases, or otherwise is empowered to lease to more than three 392
charitable organizations per calendar week for conducting bingo 393
sessions on the premises. In no case shall more than nine bingo 394
sessions be conducted on any premises in any calendar week. 395

(2) Display its license conspicuously at the premises 396
where the bingo session is conducted; 397

(3) Conduct the bingo session in accordance with the 398
definition of bingo set forth in division (O) (1) of section 399
2915.01 of the Revised Code. 400

(C) No charitable organization that conducts a bingo game 401
described in division (O) (1) of section 2915.01 of the Revised 402
Code shall do any of the following: 403

(1) Pay any compensation to a bingo game operator for 404
operating a bingo session that is conducted by the charitable 405

organization or for preparing, selling, or serving food or 406
beverages at the site of the bingo session, permit any auxiliary 407
unit or society of the charitable organization to pay 408
compensation to any bingo game operator who prepares, sells, or 409
serves food or beverages at a bingo session conducted by the 410
charitable organization, or permit any auxiliary unit or society 411
of the charitable organization to prepare, sell, or serve food 412
or beverages at a bingo session conducted by the charitable 413
organization, if the auxiliary unit or society pays any 414
compensation to the bingo game operators who prepare, sell, or 415
serve the food or beverages; 416

(2) Pay consulting fees to any person for any services 417
performed in relation to the bingo session; 418

(3) Pay concession fees to any person who provides 419
refreshments to the participants in the bingo session; 420

(4) Except as otherwise provided in division (C)(4) of 421
this section, conduct more than three bingo sessions in any 422
seven-day period. A volunteer firefighter's organization or a 423
volunteer rescue service organization that conducts not more 424
than five bingo sessions in a calendar year may conduct more 425
than three bingo sessions in a seven-day period after notifying 426
the attorney general when it will conduct the sessions. 427

(5) Pay out more than six thousand dollars in prizes for 428
bingo games described in division (O)(1) of section 2915.01 of 429
the Revised Code during any bingo session that is conducted by 430
the charitable organization. "Prizes" does not include awards 431
from the conduct of instant bingo. 432

(6) Conduct a bingo session at any time during the eight- 433
hour period between two a.m. and ten a.m., at any time during, 434

or within ten hours of, a bingo game conducted for amusement 435
only pursuant to section 2915.12 of the Revised Code, at any 436
premises not specified on its license, or on any day of the week 437
or during any time period not specified on its license. Division 438
(A) (6) of this section does not prohibit the sale of instant 439
bingo tickets beginning at nine a.m. for a bingo session that 440
begins at ten a.m. If circumstances make it impractical for the 441
charitable organization to conduct a bingo session at the 442
premises, or on the day of the week or at the time, specified on 443
its license, or if a charitable organization wants to conduct 444
bingo sessions on a day of the week or at a time other than the 445
day or time specified on its license, the charitable 446
organization may apply in writing to the attorney general for an 447
amended license pursuant to division (F) of section 2915.08 of 448
the Revised Code. A charitable organization may apply twice in 449
each calendar year for an amended license to conduct bingo 450
sessions on a day of the week or at a time other than the day or 451
time specified on its license. A charitable organization 452
licensed to conduct instant bingo at a bingo session or instant 453
bingo other than at a bingo session on five or fewer days in a 454
calendar year may apply for an amended license up to five times 455
per calendar year to amend the days, times, or premises 456
specified on its license. If the amended license is granted, the 457
organization may conduct bingo sessions at the premises, on the 458
day of the week, and at the time specified on its amended 459
license. 460

(7) Permit any person whom the charitable organization 461
knows, or should have known, is under the age of eighteen to 462
work as a bingo game operator; 463

(8) Permit any person whom the charitable organization 464
knows, or should have known, has been convicted of a felony or 465

gambling offense in any jurisdiction to be a bingo game	466
operator;	467
(9) Permit the lessor of the premises on which the bingo	468
session is conducted, if the lessor is not a charitable	469
organization, to provide the charitable organization with bingo	470
game operators, security personnel, concessions, bingo supplies,	471
or any other type of service;	472
(10) Purchase or lease bingo supplies from any person	473
except a distributor issued a license under section 2915.081 of	474
the Revised Code;	475
(11) (a) Use or permit the use of electronic bingo aids	476
except under the following circumstances:	477
(i) For any single participant, not more than ninety bingo	478
faces can be played using an electronic bingo aid or aids.	479
(ii) The charitable organization shall provide a	480
participant using an electronic bingo aid with corresponding	481
paper bingo cards or sheets.	482
(iii) The total price of bingo faces played with an	483
electronic bingo aid shall be equal to the total price of the	484
same number of bingo faces played with a paper bingo card or	485
sheet sold at the same bingo session but without an electronic	486
bingo aid.	487
(iv) An electronic bingo aid cannot be part of an	488
electronic network other than a network that includes only bingo	489
aids and devices that are located on the premises at which the	490
bingo is being conducted or be interactive with any device not	491
located on the premises at which the bingo is being conducted.	492
(v) An electronic bingo aid cannot be used to participate	493

in bingo that is conducted at a location other than the location 494
at which the bingo session is conducted and at which the 495
electronic bingo aid is used. 496

(vi) An electronic bingo aid cannot be used to provide for 497
the input of numbers and letters announced by a bingo caller 498
other than the bingo caller who physically calls the numbers and 499
letters at the location at which the bingo session is conducted 500
and at which the electronic bingo aid is used. 501

(b) The attorney general may adopt rules in accordance 502
with Chapter 119. of the Revised Code that govern the use of 503
electronic bingo aids. The rules may include a requirement that 504
an electronic bingo aid be capable of being audited by the 505
attorney general to verify the number of bingo cards or sheets 506
played during each bingo session. 507

(12) Permit any person the charitable organization knows, 508
or should have known, to be under eighteen years of age to play 509
bingo described in division (O) (1) of section 2915.01 of the 510
Revised Code. 511

(D) (1) Except as otherwise provided in division (D) (3) of 512
this section, no charitable organization shall provide to a 513
bingo game operator, and no bingo game operator shall receive or 514
accept, any commission, wage, salary, reward, tip, donation, 515
gratuity, or other form of compensation, directly or indirectly, 516
regardless of the source, for conducting bingo or providing 517
other work or labor at the site of bingo during a bingo session. 518

(2) Except as otherwise provided in division (D) (3) of 519
this section, no charitable organization shall provide to a 520
bingo game operator any commission, wage, salary, reward, tip, 521
donation, gratuity, or other form of compensation, directly or 522

indirectly, regardless of the source, for conducting instant 523
bingo other than at a bingo session at the site of instant bingo 524
other than at a bingo session. 525

(3) Nothing in division (D) of this section prohibits an 526
employee of a fraternal organization, veteran's organization, or 527
sporting organization from selling instant bingo tickets or 528
cards to the organization's members or invited guests, as long 529
as no portion of the employee's compensation is paid from any 530
receipts of bingo. 531

(E) Notwithstanding division (B)(1) of this section, a 532
charitable organization that, prior to December 6, 1977, has 533
entered into written agreements for the lease of premises it 534
owns to another charitable organization or other charitable 535
organizations for the conducting of bingo sessions so that more 536
than two bingo sessions are conducted per calendar week on the 537
premises, and a person that is not a charitable organization and 538
that, prior to December 6, 1977, has entered into written 539
agreements for the lease of premises it owns to charitable 540
organizations for the conducting of more than two bingo sessions 541
per calendar week on the premises, may continue to lease the 542
premises to those charitable organizations, provided that no 543
more than four sessions are conducted per calendar week, that 544
the lessor organization or person has notified the attorney 545
general in writing of the organizations that will conduct the 546
sessions and the days of the week and the times of the day on 547
which the sessions will be conducted, that the initial lease 548
entered into with each organization that will conduct the 549
sessions was filed with the attorney general prior to December 550
6, 1977, and that each organization that will conduct the 551
sessions was issued a license to conduct bingo games by the 552
attorney general prior to December 6, 1977. 553

(F) This section does not prohibit a bingo licensed 554
charitable organization or a game operator from giving any 555
person an instant bingo ticket as a prize. 556

(G) Whoever violates division (A) (2) of this section is 557
guilty of illegally conducting a bingo game, a felony of the 558
fourth degree. Except as otherwise provided in this division, 559
whoever violates division (A) (1) or (3), (B) (1), (2), or (3), 560
(C) (1) to ~~(12)~~(11), or (D) of this section is guilty of a minor 561
misdemeanor. If the offender previously has been convicted of a 562
violation of division (A) (1) or (3), (B) (1), (2), or (3), (C) (1) 563
to (11), or (D) of this section, a violation of division (A) (1) 564
or (3), (B) (1), (2), or (3), (C), or (D) of this section is a 565
misdemeanor of the first degree. Whoever violates division (C) 566
(12) of this section is guilty of a misdemeanor of the first 567
degree, or if the offender previously has been convicted of a 568
violation of division (C) (12) of this section, a felony of the 569
fourth degree. 570

Section 2. That existing sections 2915.08 and 2915.09 of 571
the Revised Code are hereby repealed. 572