

**As Introduced**

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**H. B. No. 476**

**Representatives Craig, Thomas, D.**

**Cosponsors: Representatives Ray, Glassburn, Brennan, Hall, T., Gross, Hiner,  
Ferguson, Kishman, Robb Blasdel**

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To amend sections 2915.01, 2915.092, and 2915.14 of	1
the Revised Code to authorize online raffles	2
under the Charitable Gaming Law and to declare	3
an emergency.	4

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

<b>Section 1.</b> That sections 2915.01, 2915.092, and 2915.14 of	5
the Revised Code be amended to read as follows:	6

<b>Sec. 2915.01.</b> As used in this chapter:	7
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(A) "Bookmaking" means the business of receiving or paying	8
off bets.	9

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

(C) "Scheme of chance" means a slot machine unless	13
authorized under Chapter 3772. of the Revised Code, lottery	14
unless authorized under Chapter 3770. of the Revised Code,	15
numbers game, pool conducted for profit, or other scheme in	16
which a participant gives a valuable consideration for a chance	17
to win a prize, but does not include bingo, a skill-based	18

amusement machine, or a pool not conducted for profit. "Scheme  
of chance" includes the use of an electronic device to reveal  
the results of a game entry if valuable consideration is paid,  
directly or indirectly, for a chance to win a prize. Valuable  
consideration is deemed to be paid for a chance to win a prize  
in the following instances:

(1) Less than fifty per cent of the goods or services sold  
by a scheme of chance operator in exchange for game entries are  
used or redeemed by participants at any one location;

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

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

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

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

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

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

(8) A scheme of chance operator pays out in prize money

more than twenty per cent of the gross revenue received at one 47  
location; or 48

(9) A participant makes a purchase or exchange in order to 49  
obtain any good or service that may be used to facilitate play 50  
on the electronic device. 51

As used in this division, "electronic device" means a 52  
mechanical, video, digital, or electronic machine or device that 53  
is capable of displaying information on a screen or other 54  
mechanism and that is owned, leased, or otherwise possessed by 55  
any person conducting a scheme of chance, or by that person's 56  
partners, affiliates, subsidiaries, or contractors. "Electronic 57  
device" does not include an electronic instant bingo system or 58  
an online raffle platform. 59

(D) "Game of chance" means poker, craps, roulette, or 60  
other game in which a player gives anything of value in the hope 61  
of gain, the outcome of which is determined largely by chance, 62  
but does not include bingo. 63

(E) "Game of chance conducted for profit" means any game 64  
of chance designed to produce income for the person who conducts 65  
or operates the game of chance, but does not include bingo. 66

(F) "Gambling device" means any of the following: 67

(1) A book, totalizer, or other equipment for recording 68  
bets; 69

(2) A ticket, token, or other device representing a 70  
chance, share, or interest in a scheme of chance or evidencing a 71  
bet; 72

(3) A deck of cards, dice, gaming table, roulette wheel, 73  
slot machine, or other apparatus designed for use in connection 74

with a game of chance;	75
(4) Any equipment, device, apparatus, or paraphernalia	76
specially designed for gambling purposes;	77
(5) Bingo supplies sold or otherwise provided, or used, in	78
violation of this chapter.	79
(G) "Gambling offense" means any of the following:	80
(1) A violation of this chapter;	81
(2) A violation of an existing or former municipal	82
ordinance or law of this or any other state or the United States	83
substantially equivalent to any provision of this chapter or a	84
violation of section 2915.06 of the Revised Code as it existed	85
prior to July 1, 1996;	86
(3) An offense under an existing or former municipal	87
ordinance or law of this or any other state or the United	88
States, of which gambling is an element;	89
(4) A conspiracy or attempt to commit, or complicity in	90
committing, any offense under division (G) (1), (2), or (3) of	91
this section.	92
(H) Except as otherwise provided in this chapter,	93
"charitable organization" means either of the following:	94
(1) An organization that is exempt from federal income	95
taxation under subsection 501(a) and described in subsection	96
501(c) (3) of the Internal Revenue Code;	97
(2) A volunteer rescue service organization, volunteer	98
firefighter's organization, veteran's organization, fraternal	99
organization, or sporting organization that is exempt from	100
federal income taxation under subsection 501(c) (4), (c) (7), (c)	101

(8), (c)(10), or (c)(19) of the Internal Revenue Code. 102

To qualify as a "charitable organization," an organization 103  
shall have been in continuous existence as such in this state 104  
for a period of two years immediately preceding either the 105  
making of an application for a bingo license under section 106  
2915.08 of the Revised Code or the conducting of any game of 107  
chance as provided in division (D) of section 2915.02 of the 108  
Revised Code. 109

(I) "Religious organization" means any church, body of 110  
communicants, or group that is not organized or operated for 111  
profit and that gathers in common membership for regular worship 112  
and religious observances. 113

(J) "Veteran's organization" means any individual post or 114  
state headquarters of a national veteran's association or an 115  
auxiliary unit of any individual post of a national veteran's 116  
association, which post, state headquarters, or auxiliary unit 117  
is incorporated as a nonprofit corporation and either has 118  
received a letter from the state headquarters of the national 119  
veteran's association indicating that the individual post or 120  
auxiliary unit is in good standing with the national veteran's 121  
association or has received a letter from the national veteran's 122  
association indicating that the state headquarters is in good 123  
standing with the national veteran's association. As used in 124  
this division, "national veteran's association" means any 125  
veteran's association that has been in continuous existence as 126  
such for a period of at least five years and either is 127  
incorporated by an act of the United States congress or has a 128  
national dues-paying membership of at least five thousand 129  
persons. 130

(K) "Volunteer firefighter's organization" means any 131

organization of volunteer firefighters, as defined in section 132  
146.01 of the Revised Code, that is organized and operated 133  
exclusively to provide financial support for a volunteer fire 134  
department or a volunteer fire company and that is recognized or 135  
ratified by a county, municipal corporation, ~~or~~ township, or 136  
district. 137

(L) "Fraternal organization" means any society, order, 138  
state headquarters, or association within this state, except a 139  
college or high school fraternity, that is not organized for 140  
profit, that is a branch, lodge, or chapter of a national or 141  
state organization, that exists exclusively for the common 142  
business or sodality of its members. 143

(M) "Volunteer rescue service organization" means any 144  
organization of volunteers organized to function as an emergency 145  
medical service organization, as defined in section 4765.01 of 146  
the Revised Code. 147

(N) "Charitable bingo game" means any bingo game described 148  
in division (O) (1) or (2) of this section that is conducted by a 149  
charitable organization that has obtained a license pursuant to 150  
section 2915.08 of the Revised Code and the proceeds of which 151  
are used for a charitable purpose. 152

(O) "Bingo" means either of the following: 153

(1) A game with all of the following characteristics: 154

(a) The participants use bingo cards or sheets, including 155  
paper formats and electronic representation or image formats, 156  
that are divided into twenty-five spaces arranged in five 157  
horizontal and five vertical rows of spaces, with each space, 158  
except the central space, being designated by a combination of a 159  
letter and a number and with the central space being designated 160

as a free space. 161

(b) The participants cover the spaces on the bingo cards 162  
or sheets that correspond to combinations of letters and numbers 163  
that are announced by a bingo game operator. 164

(c) A bingo game operator announces combinations of 165  
letters and numbers that appear on objects that a bingo game 166  
operator selects by chance, either manually or mechanically, 167  
from a receptacle that contains seventy-five objects at the 168  
beginning of each game, each object marked by a different 169  
combination of a letter and a number that corresponds to one of 170  
the seventy-five possible combinations of a letter and a number 171  
that can appear on the bingo cards or sheets. 172

(d) The winner of the bingo game includes any participant 173  
who properly announces during the interval between the 174  
announcements of letters and numbers as described in division 175  
(O) (1) (c) of this section, that a predetermined and preannounced 176  
pattern of spaces has been covered on a bingo card or sheet 177  
being used by the participant. 178

(2) Instant bingo, electronic instant bingo, and raffles. 179

(P) "Conduct" means to back, promote, organize, manage, 180  
carry on, sponsor, or prepare for the operation of bingo or a 181  
game of chance, a scheme of chance, or a sweepstakes. 182

(Q) "Bingo game operator" means any person, except 183  
security personnel, who performs work or labor at the site of 184  
bingo, including, but not limited to, collecting money from 185  
participants, handing out bingo cards or sheets or objects to 186  
cover spaces on bingo cards or sheets, selecting from a 187  
receptacle the objects that contain the combination of letters 188  
and numbers that appear on bingo cards or sheets, calling out 189

the combinations of letters and numbers, distributing prizes, 190  
selling or redeeming instant bingo tickets or cards, selling or 191  
redeeming electronic instant bingo tickets, credits, or 192  
vouchers, accessing an electronic instant bingo system other 193  
than as a participant, supervising the operation of a punch 194  
board, selling raffle tickets, selecting raffle tickets from a 195  
receptacle and announcing the winning numbers in a raffle, and 196  
preparing, selling, and serving food or beverages. "Bingo game 197  
operator" does not include a person who is installing, 198  
maintaining, updating, or repairing an electronic instant bingo 199  
system or a person who operates an online raffle platform. 200

(R) "Participant" means any person who plays bingo. 201

(S) "Bingo session" means a period that includes both of 202  
the following: 203

(1) Not to exceed five continuous hours for the conduct of 204  
one or more games described in division (O) (1) of this section, 205  
instant bingo, and electronic instant bingo; 206

(2) A period for the conduct of instant bingo and 207  
electronic instant bingo for not more than two hours before and 208  
not more than two hours after the period described in division 209  
(S) (1) of this section. 210

(T) "Gross receipts" means all money or assets, including 211  
admission fees, that a person receives from bingo without the 212  
deduction of any amounts for prizes paid out or for the expenses 213  
of conducting bingo. "Gross receipts" does not include any money 214  
directly taken in from the sale of food or beverages by a 215  
charitable organization conducting bingo, or by a bona fide 216  
auxiliary unit or society of a charitable organization 217  
conducting bingo, provided all of the following apply: 218



(1) The auxiliary unit or society has been in existence as 219  
a bona fide auxiliary unit or society of the charitable 220  
organization for at least two years prior to conducting bingo. 221

(2) The person who purchases the food or beverage receives 222  
nothing of value except the food or beverage and items 223  
customarily received with the purchase of that food or beverage. 224

(3) The food and beverages are sold at customary and 225  
reasonable prices. 226

(U) "Security personnel" includes any person who either is 227  
a sheriff, deputy sheriff, marshal, deputy marshal, township 228  
constable, or member of an organized police department of a 229  
municipal corporation or has successfully completed a peace 230  
officer's training course pursuant to sections 109.71 to 109.79 231  
of the Revised Code and who is hired to provide security for the 232  
premises on which bingo is conducted. 233

(V) "Charitable purpose" means that the net profit of 234  
bingo, other than instant bingo or electronic instant bingo, is 235  
used by, or is given, donated, or otherwise transferred to, any 236  
of the following: 237

(1) Any organization that is described in subsection 238  
509(a) (1), 509(a) (2), or 509(a) (3) of the Internal Revenue Code 239  
and is either a governmental unit or an organization that is tax 240  
exempt under subsection 501(a) and described in subsection 241  
501(c) (3) of the Internal Revenue Code; 242

(2) A veteran's organization that is a post, chapter, or 243  
organization of veterans, or an auxiliary unit or society of, or 244  
a trust or foundation for, any such post, chapter, or 245  
organization organized in the United States or any of its 246  
possessions, at least seventy-five per cent of the members of 247

which are veterans and substantially all of the other members of 248  
which are individuals who are spouses, widows, or widowers of 249  
veterans, or such individuals, provided that no part of the net 250  
earnings of such post, chapter, or organization inures to the 251  
benefit of any private shareholder or individual, and further 252  
provided that the net profit is used by the post, chapter, or 253  
organization for the charitable purposes set forth in division 254  
(B) (12) of section 5739.02 of the Revised Code, is used for 255  
awarding scholarships to or for attendance at an institution 256  
mentioned in division (B) (12) of section 5739.02 of the Revised 257  
Code, is donated to a governmental agency, or is used for 258  
nonprofit youth activities, the purchase of United States or 259  
Ohio flags that are donated to schools, youth groups, or other 260  
bona fide nonprofit organizations, promotion of patriotism, or 261  
disaster relief; 262

(3) A fraternal organization that has been in continuous 263  
existence in this state for fifteen years and that uses the net 264  
profit exclusively for religious, charitable, scientific, 265  
literary, or educational purposes, or for the prevention of 266  
cruelty to children or animals, if contributions for such use 267  
would qualify as a deductible charitable contribution under 268  
subsection 170 of the Internal Revenue Code; 269

(4) A volunteer firefighter's organization that uses the 270  
net profit for the purposes set forth in division (K) of this 271  
section. 272

(W) "Internal Revenue Code" means the "Internal Revenue 273  
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 274  
amended. 275

(X) "Youth athletic organization" means any organization, 276  
not organized for profit, that is organized and operated 277

exclusively to provide financial support to, or to operate, 278  
athletic activities for persons who are twenty-one years of age 279  
or younger by means of sponsoring, organizing, operating, or 280  
contributing to the support of an athletic team, club, league, 281  
or association. 282

(Y) "Youth athletic park organization" means any 283  
organization, not organized for profit, that satisfies both of 284  
the following: 285

(1) It owns, operates, and maintains playing fields that 286  
satisfy both of the following: 287

(a) The playing fields are used for athletic activities by 288  
one or more organizations, not organized for profit, each of 289  
which is organized and operated exclusively to provide financial 290  
support to, or to operate, athletic activities for persons who 291  
are eighteen years of age or younger by means of sponsoring, 292  
organizing, operating, or contributing to the support of an 293  
athletic team, club, league, or association. 294

(b) The playing fields are not used for any profit-making 295  
activity at any time during the year. 296

(2) It uses the proceeds of bingo it conducts exclusively 297  
for the operation, maintenance, and improvement of its playing 298  
fields of the type described in division (Y)(1) of this section. 299

(Z) "Bingo supplies" means bingo cards or sheets; instant 300  
bingo tickets or cards; electronic bingo aids; raffle tickets; 301  
punch boards; seal cards; instant bingo ticket dispensers; 302  
electronic instant bingo systems; online raffle platforms; and 303  
devices for selecting or displaying the combination of bingo 304  
letters and numbers or raffle tickets. Items that are "bingo 305  
supplies" are not gambling devices if sold or otherwise 306

provided, and used, in accordance with this chapter. For 307  
purposes of this chapter, "bingo supplies" are not to be 308  
considered equipment used to conduct a bingo game. 309

(AA) "Instant bingo" means a form of bingo that shall use 310  
folded or banded tickets or paper cards with perforated break- 311  
open tabs, a face of which is covered or otherwise hidden from 312  
view to conceal a number, letter, or symbol, or set of numbers, 313  
letters, or symbols, some of which have been designated in 314  
advance as prize winners, and may also include games in which 315  
some winners are determined by the random selection of one or 316  
more bingo numbers by the use of a seal card or bingo blower. 317  
"Instant bingo" also includes a punch board game. In all 318  
"instant bingo" the prize amount and structure shall be 319  
predetermined. "Instant bingo" does not include electronic 320  
instant bingo or any device that is activated by the insertion 321  
of a coin, currency, token, or an equivalent, and that contains 322  
as one of its components a video display monitor that is capable 323  
of displaying numbers, letters, symbols, or characters in 324  
winning or losing combinations. 325

(BB) "Seal card" means a form of instant bingo that uses 326  
instant bingo tickets in conjunction with a board or placard 327  
that contains one or more seals that, when removed or opened, 328  
reveal predesignated winning numbers, letters, or symbols. 329

~~(CC)~~ (CC) (1) "Raffle" means a form of bingo in which the 330  
one or more prizes are won by one or more persons who have 331  
purchased a raffle ticket. The A raffle is conducted by one of 332  
the following methods: 333

(a) As a "traditional raffle," which means a raffle 334  
conducted by selling physical tickets to participants, then 335  
determining one or more winners of the raffle ~~are determined by~~ 336

drawing a ticket stub or other detachable section from a 337  
receptacle containing ticket stubs or detachable sections 338  
corresponding to all tickets sold for the raffle. "Raffle" The 339  
person conducting a traditional raffle may accept electronic 340  
payment from a participant for a ticket and may sell a ticket to 341  
a participant by mail, over the internet, or by other remote 342  
means, so long as the person conducting the raffle delivers the 343  
physical ticket to the participant before the drawing is held. A 344  
participant is not required to be physically present at the 345  
drawing to win a prize. 346

(b) As an "online raffle," which means a raffle conducted 347  
by selling electronic representations of tickets to participants 348  
by means of an online raffle platform, with each ticket 349  
containing a unique identifier assigned by the platform, then 350  
determining one or more winners of the raffle by randomly 351  
selecting, or having the platform randomly select, a unique 352  
ticket identifier from all tickets sold for the raffle. A 353  
participant is not required to be physically present at the 354  
drawing to win a raffle prize. An online raffle may be conducted 355  
by selling both physical tickets and electronic representations 356  
of tickets for the same drawing. 357

(2) "Online raffle platform" means both of the following: 358

(a) An internet web site, application, or electronic 359  
service used to conduct an online raffle; 360

(b) Any associated equipment or software used to operate, 361  
manage, monitor, or document any aspect of an online raffle. 362

(3) "Raffle" does not include the ~~drawing~~ selection of a 363  
ticket ~~stub or other detachable section of a ticket~~ purchased to 364  
attend a professional sporting event if both of the following 365

apply: 366

~~(1) (a) The ticket or ticket identifier stub or other~~ 367  
~~detachable section~~ is used to select the winner of a free prize 368  
given away at the professional sporting event; and 369

~~(2) (b) The cost of the ticket is the same as the cost of~~ 370  
a ticket to the professional sporting event on days when no free 371  
prize is given away. 372

(DD) "Punch board" means a form of instant bingo that uses 373  
a board containing a number of holes or receptacles of uniform 374  
size in which are placed, mechanically and randomly, serially 375  
numbered slips of paper that may be punched or drawn from the 376  
hole or receptacle. A player may punch or draw the numbered 377  
slips of paper from the holes or receptacles and obtain the 378  
prize established for the game if the number drawn corresponds 379  
to a winning number or, if the punch board includes the use of a 380  
seal card, a potential winning number. 381

(EE) "Gross profit" means gross receipts minus the amount 382  
actually expended for the payment of prize awards. 383

(FF) "Net profit" means gross profit minus expenses. 384

(GG) "Expenses" means the reasonable amount of gross 385  
profit actually expended for all of the following: 386

(1) The purchase or lease of bingo supplies; 387

(2) The annual license fee required under section 2915.08 388  
of the Revised Code; 389

(3) Bank fees and service charges for a bingo session or 390  
game account described in section 2915.10 of the Revised Code; 391

(4) Audits and accounting services; 392

(5) Safes;	393
(6) Cash registers;	394
(7) Hiring security personnel;	395
(8) Advertising bingo;	396
(9) Renting premises in which to conduct a bingo session;	397
(10) Tables and chairs;	398
(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;	399 400 401 402 403
(12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted;	404 405
(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 (F)(1) of section 2915.08 of the Revised Code.	406 407 408 409
(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.	410 411 412
(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 of the Revised Code or a charitable gaming license issued by another jurisdiction.	413 414 415 416
(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 of the Revised Code or a	417 418 419

charitable gaming license issued by another jurisdiction. 420

(KK) "Distributor" means any person who purchases or 421  
obtains bingo supplies and who does either of the following: 422

(1) Sells, offers for sale, or otherwise provides or 423  
offers to provide the bingo supplies to another person for use 424  
in this state; 425

(2) Modifies, converts, adds to, or removes parts from the 426  
bingo supplies to further their promotion or sale for use in 427  
this state. 428

(LL) "Manufacturer" means any person who assembles 429  
completed bingo supplies from raw materials, other items, or 430  
subparts or who modifies, converts, adds to, or removes parts 431  
from bingo supplies to further their promotion or sale. 432

(MM) "Gross annual revenues" means the annual gross 433  
receipts derived from the conduct of bingo described in division 434  
(O) (1) of this section plus the annual net profit derived from 435  
the conduct of bingo described in division (O) (2) of this 436  
section. 437

(NN) "Instant bingo ticket dispenser" means a mechanical 438  
device that dispenses an instant bingo ticket or card as the 439  
sole item of value dispensed and that has the following 440  
characteristics: 441

(1) It is activated upon the insertion of United States 442  
currency. 443

(2) It performs no gaming functions. 444

(3) It does not contain a video display monitor or 445  
generate noise. 446



(4) It is not capable of displaying any numbers, letters, 447  
symbols, or characters in winning or losing combinations. 448

(5) It does not simulate or display rolling or spinning 449  
reels. 450

(6) It is incapable of determining whether a dispensed 451  
bingo ticket or card is a winning or nonwinning ticket or card 452  
and requires a winning ticket or card to be paid by a bingo game 453  
operator. 454

(7) It may provide accounting and security features to aid 455  
in accounting for the instant bingo tickets or cards it 456  
dispenses. 457

(8) It is not part of an electronic network and is not 458  
interactive. 459

(OO) (1) "Electronic bingo aid" means an electronic device 460  
used by a participant to monitor bingo cards or sheets purchased 461  
at the time and place of a bingo session and that does all of 462  
the following: 463

(a) It provides a means for a participant to input numbers 464  
and letters announced by a bingo caller. 465

(b) It compares the numbers and letters entered by the 466  
participant to the bingo faces previously stored in the memory 467  
of the device. 468

(c) It identifies a winning bingo pattern. 469

(2) "Electronic bingo aid" does not include any device 470  
into which a coin, currency, token, or an equivalent is inserted 471  
to activate play. 472

(PP) "Deal" means a single game of instant bingo tickets, 473

or a single game of electronic instant bingo tickets, all with 474  
the same serial number. 475

(QQ) (1) "Slot machine" means either of the following: 476

(a) Any mechanical, electronic, video, or digital device 477  
that is capable of accepting anything of value, directly or 478  
indirectly, from or on behalf of a player who gives the thing of 479  
value in the hope of gain; 480

(b) Any mechanical, electronic, video, or digital device 481  
that is capable of accepting anything of value, directly or 482  
indirectly, from or on behalf of a player to conduct bingo or a 483  
scheme or game of chance. 484

(2) "Slot machine" does not include a skill-based 485  
amusement machine, an instant bingo ticket dispenser, ~~or an~~ 486  
electronic instant bingo system, or an online raffle platform. 487

(RR) "Net profit from the proceeds of the sale of instant 488  
bingo or electronic instant bingo" means gross profit minus the 489  
ordinary, necessary, and reasonable expense expended for the 490  
purchase of bingo supplies for the purpose of conducting instant 491  
bingo or electronic instant bingo, and, in the case of instant 492  
bingo or electronic instant bingo conducted by a veteran's, 493  
fraternal, or sporting organization, minus the payment by that 494  
organization of real property taxes and assessments levied on a 495  
premises on which instant bingo or electronic instant bingo is 496  
conducted. 497

(SS) "Charitable instant bingo organization" means an 498  
organization that is exempt from federal income taxation under 499  
subsection 501(a) and described in subsection 501(c) (3) of the 500  
Internal Revenue Code and is a charitable organization as 501  
defined in this section. A "charitable instant bingo 502

organization" does not include a charitable organization that is 503  
exempt from federal income taxation under subsection 501(a) and 504  
described in subsection 501(c)(3) of the Internal Revenue Code 505  
and that is created by a veteran's organization, a fraternal 506  
organization, or a sporting organization in regards to bingo 507  
conducted or assisted by a veteran's organization, a fraternal 508  
organization, or a sporting organization pursuant to section 509  
2915.13 of the Revised Code. 510

(TT) "Game flare" means the board or placard, or 511  
electronic representation of a board or placard, that 512  
accompanies each deal of instant bingo or electronic instant 513  
bingo tickets and that includes the following information for 514  
the game: 515

(1) The name of the game; 516

(2) The manufacturer's name or distinctive logo; 517

(3) The form number; 518

(4) The ticket count; 519

(5) The prize structure, including the number of winning 520  
tickets by denomination and the respective winning symbol or 521  
number combinations for the winning tickets; 522

(6) The cost per play; 523

(7) The serial number of the game. 524

(UU) (1) "Skill-based amusement machine" means a 525  
mechanical, video, digital, or electronic device that rewards 526  
the player or players, if at all, only with merchandise prizes 527  
or with redeemable vouchers redeemable only for merchandise 528  
prizes, provided that with respect to rewards for playing the 529  
game all of the following apply: 530

(a) The wholesale value of a merchandise prize awarded as 531  
a result of the single play of a machine does not exceed ten 532  
dollars; 533

(b) Redeemable vouchers awarded for any single play of a 534  
machine are not redeemable for a merchandise prize with a 535  
wholesale value of more than ten dollars; 536

(c) Redeemable vouchers are not redeemable for a 537  
merchandise prize that has a wholesale value of more than ten 538  
dollars times the fewest number of single plays necessary to 539  
accrue the redeemable vouchers required to obtain that prize; 540  
and 541

(d) Any redeemable vouchers or merchandise prizes are 542  
distributed at the site of the skill-based amusement machine at 543  
the time of play. 544

A card for the purchase of gasoline is a redeemable 545  
voucher for purposes of division (UU)(1) of this section even if 546  
the skill-based amusement machine for the play of which the card 547  
is awarded is located at a place where gasoline may not be 548  
legally distributed to the public or the card is not redeemable 549  
at the location of, or at the time of playing, the skill-based 550  
amusement machine. 551

(2) A device shall not be considered a skill-based 552  
amusement machine and shall be considered a slot machine if it 553  
pays cash or one or more of the following apply: 554

(a) The ability of a player to succeed at the game is 555  
impacted by the number or ratio of prior wins to prior losses of 556  
players playing the game. 557

(b) Any reward of redeemable vouchers is not based solely 558  
on the player achieving the object of the game or the player's 559

score; 560

(c) The outcome of the game, or the value of the 561  
redeemable voucher or merchandise prize awarded for winning the 562  
game, can be controlled by a source other than any player 563  
playing the game. 564

(d) The success of any player is or may be determined by a 565  
chance event that cannot be altered by player actions. 566

(e) The ability of any player to succeed at the game is 567  
determined by game features not visible or known to the player. 568

(f) The ability of the player to succeed at the game is 569  
impacted by the exercise of a skill that no reasonable player 570  
could exercise. 571

(3) All of the following apply to any machine that is 572  
operated as described in division (UU) (1) of this section: 573

(a) As used in division (UU) of this section, "game" and 574  
"play" mean one event from the initial activation of the machine 575  
until the results of play are determined without payment of 576  
additional consideration. An individual utilizing a machine that 577  
involves a single game, play, contest, competition, or 578  
tournament may be awarded redeemable vouchers or merchandise 579  
prizes based on the results of play. 580

(b) Advance play for a single game, play, contest, 581  
competition, or tournament participation may be purchased. The 582  
cost of the contest, competition, or tournament participation 583  
may be greater than a single noncontest, competition, or 584  
tournament play. 585

(c) To the extent that the machine is used in a contest, 586  
competition, or tournament, that contest, competition, or 587

tournament has a defined starting and ending date and is open to 588  
participants in competition for scoring and ranking results 589  
toward the awarding of redeemable vouchers or merchandise prizes 590  
that are stated prior to the start of the contest, competition, 591  
or tournament. 592

(4) For purposes of division (UU)(1) of this section, the 593  
mere presence of a device, such as a pin-setting, ball- 594  
releasing, or scoring mechanism, that does not contribute to or 595  
affect the outcome of the play of the game does not make the 596  
device a skill-based amusement machine. 597

(VV) "Merchandise prize" means any item of value, but 598  
shall not include any of the following: 599

(1) Cash, gift cards, or any equivalent thereof; 600

(2) Plays on games of chance, state lottery tickets, or 601  
bingo; 602

(3) Firearms, tobacco, or alcoholic beverages; or 603

(4) A redeemable voucher that is redeemable for any of the 604  
items listed in division (VV)(1), (2), or (3) of this section. 605

(WW) "Redeemable voucher" means any ticket, token, coupon, 606  
receipt, or other noncash representation of value. 607

(XX) "Pool not conducted for profit" means a scheme in 608  
which a participant gives a valuable consideration for a chance 609  
to win a prize and the total amount of consideration wagered is 610  
distributed to a participant or participants. 611

(YY) "Sporting organization" means a hunting, fishing, or 612  
trapping organization, other than a college or high school 613  
fraternity or sorority, that is not organized for profit, that 614  
is affiliated with a state or national sporting organization, 615

including but not limited to, the league of Ohio sportsmen, and 616  
that has been in continuous existence in this state for a period 617  
of three years. 618

(ZZ) "Community action agency" has the same meaning as in 619  
section 5101.311 of the Revised Code. 620

(AAA) (1) "Sweepstakes terminal device" means a mechanical, 621  
video, digital, or electronic machine or device that is owned, 622  
leased, or otherwise possessed by any person conducting a 623  
sweepstakes, or by that person's partners, affiliates, 624  
subsidiaries, or contractors, that is intended to be used by a 625  
sweepstakes participant, and that is capable of displaying 626  
information on a screen or other mechanism. A device is a 627  
sweepstakes terminal device if any of the following apply: 628

(a) The device uses a simulated game terminal as a 629  
representation of the prizes associated with the results of the 630  
sweepstakes entries. 631

(b) The device utilizes software such that the simulated 632  
game influences or determines the winning of or value of the 633  
prize. 634

(c) The device selects prizes from a predetermined finite 635  
pool of entries. 636

(d) The device utilizes a mechanism that reveals the 637  
content of a predetermined sweepstakes entry. 638

(e) The device predetermines the prize results and stores 639  
those results for delivery at the time the sweepstakes entry 640  
results are revealed. 641

(f) The device utilizes software to create a game result. 642

(g) The device reveals the prize incrementally, even 643

though the device does not influence the awarding of the prize 644  
or the value of any prize awarded. 645

(h) The device determines and associates the prize with an 646  
entry or entries at the time the sweepstakes is entered. 647

(2) As used in this division and in section 2915.02 of the 648  
Revised Code: 649

(a) "Enter" means the act by which a person becomes 650  
eligible to receive any prize offered in a sweepstakes. 651

(b) "Entry" means one event from the initial activation of 652  
the sweepstakes terminal device until all the sweepstakes prize 653  
results from that activation are revealed. 654

(c) "Prize" means any gift, award, gratuity, good, 655  
service, credit, reward, or any other thing of value that may be 656  
transferred to a person, whether possession of the prize is 657  
actually transferred, or placed on an account or other record as 658  
evidence of the intent to transfer the prize. 659

(d) "Sweepstakes terminal device facility" means any 660  
location in this state where a sweepstakes terminal device is 661  
provided to a sweepstakes participant, except as provided in 662  
division (G) of section 2915.02 of the Revised Code. 663

(BBB) "Sweepstakes" means any game, contest, advertising 664  
scheme or plan, or other promotion where consideration is not 665  
required for a person to enter to win or become eligible to 666  
receive any prize, the determination of which is based upon 667  
chance. "Sweepstakes" does not include bingo as authorized under 668  
this chapter, pari-mutuel wagering as authorized by Chapter 669  
3769. of the Revised Code, lotteries conducted by the state 670  
lottery commission as authorized by Chapter 3770. of the Revised 671  
Code, and casino gaming as authorized by Chapter 3772. of the 672



Revised Code. 673

(CCC) (1) "Electronic instant bingo" means a form of bingo 674  
that consists of an electronic or digital representation of 675  
instant bingo in which a participant wins a prize if the 676  
participant's electronic instant bingo ticket contains a 677  
combination of numbers or symbols that was designated in advance 678  
as a winning combination, and to which all of the following 679  
apply: 680

(a) Each deal has a predetermined, finite number of 681  
winning and losing tickets and a predetermined prize amount and 682  
deal structure, provided that there may be multiple winning 683  
combinations in each deal and multiple winning tickets. 684

(b) Each electronic instant bingo ticket within a deal has 685  
a unique serial number that is not regenerated. 686

(c) Each electronic instant bingo ticket within a deal is 687  
sold for the same price. 688

(d) After a participant purchases an electronic instant 689  
bingo ticket, the combination of numbers or symbols on the 690  
ticket is revealed to the participant. 691

(e) The reveal of numbers or symbols on the ticket may 692  
incorporate an entertainment or bonus theme, provided that the 693  
reveal does not include spinning reels that resemble a slot 694  
machine. 695

(f) The reveal theme, if any, does not require additional 696  
consideration or award any prize other than any predetermined 697  
prize associated with the electronic instant bingo ticket. 698

(2) "Electronic instant bingo" shall not include any of 699  
the following: 700

(a) Any game, entertainment, or bonus theme that 701  
replicates or simulates any of the following: 702

(i) The gambling games of keno, blackjack, roulette, 703  
poker, craps, other casino-style table games; 704

(ii) Horse racing; 705

(iii) Gambling games offered in this state on slot 706  
machines or video lottery terminals. As used in this division, 707  
"video lottery terminal" has the same meaning as in section 708  
3770.21 of the Revised Code. 709

(b) Any device operated by dropping one or more coins or 710  
tokens into a slot and pulling a handle or pushing a button or 711  
touchpoint on a touchscreen to activate one to three or more 712  
rotating reels marked into horizontal segments by varying 713  
symbols, where the predetermined prize amount depends on how and 714  
how many of the symbols line up when the rotating reels come to 715  
a rest; 716

(c) Any device that includes a coin or token slot, tray, 717  
or hopper and the ability to dispense coins, cash, tokens, or 718  
anything of value other than a credit ticket voucher. 719

(DDD) "Electronic instant bingo system" means both of the 720  
following: 721

(1) A mechanical, electronic, digital, or video device and 722  
associated software to which all of the following apply: 723

(a) It is used by not more than one player at a time to 724  
play electronic instant bingo on a single screen that is 725  
physically connected to the device; 726

(b) It is located on the premises of the principal place 727  
of business of a veteran's or fraternal organization that holds 728

a type II or type III bingo license to conduct electronic 729  
instant bingo at that location issued under section 2915.08 of 730  
the Revised Code. 731

(2) Any associated equipment or software used to manage, 732  
monitor, or document any aspect of electronic instant bingo. 733

**Sec. 2915.092.** (A) (1) Subject to division (A) (2) of this 734  
section, a person or entity may conduct a raffle to raise money 735  
for the person or entity and does not need a license to conduct 736  
bingo in order to conduct a raffle ~~drawing~~ that is not for 737  
profit if the person or entity is any of the following: 738

(a) Exempt from federal income taxation under subsection 739  
501(a) and described in subsection 501(c) (3) of the Internal 740  
Revenue Code; 741

(b) A school district, community school established under 742  
Chapter 3314. of the Revised Code, STEM school established under 743  
Chapter 3326. of the Revised Code, college-preparatory boarding 744  
school established under Chapter 3328. of the Revised Code, or 745  
chartered nonpublic school; 746

(c) Exempt from federal income taxation under subsection 747  
501(a) and described in subsection 501(c) (4), 501(c) (6), 501(c) 748  
(7), 501(c) (8), 501(c) (10), or 501(c) (19) of the Internal 749  
Revenue Code. 750

(2) If a person or entity that is described in division 751  
(A) (1) (c) of this section conducts a raffle, the person or 752  
entity shall distribute at least fifty per cent of the net 753  
profit from the raffle to a charitable purpose described in 754  
division (V) of section 2915.01 of the Revised Code or to a 755  
department or agency of the federal government, the state, or 756  
any political subdivision. 757

(B) Except as provided in division (A) of this section, no 758  
person shall conduct a raffle ~~drawing~~ that is for profit or a 759  
raffle ~~drawing~~ that is not for profit. 760

(C) Whoever violates division (B) of this section is 761  
guilty of illegal conduct of a raffle. Except as otherwise 762  
provided in this division, illegal conduct of a raffle is a 763  
misdemeanor of the first degree. If the offender previously has 764  
been convicted of a violation of division (B) of this section, 765  
illegal conduct of a raffle is a felony of the fifth degree. 766

**Sec. 2915.14.** (A) No charitable organization shall conduct 767  
electronic instant bingo unless all of the following are true: 768

(1) The organization is a veteran's organization described 769  
in division (J) of section 2915.01 of the Revised Code, or is a 770  
fraternal organization described in division (L) of section 771  
2915.01 of the Revised Code, and the organization qualified as a 772  
veteran's organization or fraternal organization, as applicable, 773  
on or before June 30, 2021. 774

(2) The organization is a veteran's organization described 775  
in subsection 501(c)(4) of the Internal Revenue Code or is, and 776  
has received from the internal revenue service a determination 777  
letter that is currently ineffect stating that the organization 778  
is, exempt from federal income taxation under subsection 501(a), 779  
and is described in subsection 501(c)(7), 501(c)(8), 501(c)(10), 780  
or 501(c)(19) of the Internal Revenue Code. 781

(3) The organization has not conducted a raffle in 782  
violation of division (B) of section 2915.092 of the Revised 783  
Code, as that section existed at the time of the violation, 784  
using an electronic raffle machine, as described in Ohio 785  
Veterans and Fraternal Charitable Coalition v. DeWine, Case No. 786

13-CV-13610 (C.P. Franklin Co. February 23, 2018), at any time 787  
on or after January 1, 2022. 788

(B) No charitable organization that conducts electronic 789  
instant bingo shall do any of the following: 790

(1) Possess an electronic instant bingo system that was 791  
not obtained in accordance with this chapter or with any rule 792  
adopted under this chapter; 793

(2) Conduct electronic instant bingo on any day, at any 794  
time, or on any premises not specified on the organization's 795  
type II or type III license issued under section 2915.08 of the 796  
Revised Code; 797

(3) Hold more than one valid license to conduct electronic 798  
instant bingo at any one time; 799

(4) Conduct electronic instant bingo on more than one 800  
premises or on any premises other than the charitable 801  
organization's principal place of business; 802

(5) Operate more than ten electronic bingo systems at the 803  
premises on which the charitable organization conducts 804  
electronic instant bingo under its license; 805

(6) Fail to display both of the following conspicuously at 806  
the premises on which the charitable organization conducts 807  
electronic instant bingo: 808

(a) The charitable organization's bingo license; 809

(b) The serial number of each deal of electronic instant 810  
bingo tickets being sold. 811

(7) Permit any person the charitable organization knows, 812  
or should have known, to be under eighteen years of age to play 813

electronic instant bingo; 814

(8) Sell or provide to any person an electronic instant 815  
bingo ticket for a price different from the price displayed on 816  
the game flare for that deal, except that the charitable 817  
organization may give a participant who wins an electronic 818  
instant bingo game an electronic instant bingo ticket as a prize 819  
in place of a cash prize; 820

(9) Fail, once an electronic instant bingo deal is begun, 821  
to continue to sell tickets in that deal until all prizes have 822  
been awarded; 823

(10) Permit any person whom the organization knows, or 824  
should have known, has been convicted of a felony or gambling 825  
offense in any jurisdiction to be a bingo game operator in the 826  
conduct of electronic instant bingo; 827

(11) Permit a bingo game operator to play electronic 828  
instant bingo; 829

(12) (a) Except as otherwise provided in division (B) (12) 830  
(b) of this section, pay compensation to a bingo game operator 831  
for conducting electronic instant bingo. 832

(b) Division (B) (12) (a) of this section does not prohibit 833  
an employee of a veteran's organization or fraternal 834  
organization from redeeming electronic instant bingo tickets or 835  
vouchers for the organization's members or invited guests, so 836  
long as no portion of the employee's compensation is paid from 837  
any bingo receipts. 838

(13) Pay consulting fees to any person in relation to 839  
electronic instant bingo. 840

(C) No person shall sell, offer to sell, or otherwise 841

provide or offer to provide an electronic instant bingo system 842  
to any person for use in this state unless the electronic 843  
instant bingo system has been approved under section 2915.15 of 844  
the Revised Code. 845

(D) The attorney general shall adopt rules under Chapter 846  
119. of the Revised Code to ensure the integrity of electronic 847  
instant bingo, including, but not limited to, rules governing 848  
all of the following: 849

(1) The requirements to receive a license or endorsement 850  
to conduct electronic instant bingo; 851

(2) The location and number of electronic instant bingo 852  
systems in use, which shall not exceed ten at the single 853  
licensed location per organization; 854

(3) The times when electronic instant bingo may be 855  
offered; 856

(4) Signage requirements in facilities where electronic 857  
instant bingo is offered; 858

(5) Electronic instant bingo device and system 859  
specifications, including reveal features and game themes; 860

(6) Procedures and standards for the review, approval, 861  
inspection, and monitoring of electronic instant bingo systems, 862  
as described in section 2915.15 of the Revised Code; 863

(7) Procedures and standards for the review and approval 864  
of any changes to technology, systems, or games licensed or 865  
permitted under this chapter; 866

(8) The fees to be charged under section 2915.15 of the 867  
Revised Code for review, approval, inspection, and monitoring of 868  
electronic instant bingo systems; 869

(9) Procedures allowing the attorney general to seek a 870  
summary suspension of a license to conduct electronic instant 871  
bingo or a license to manufacture or distribute electronic 872  
instant bingo systems if the attorney general has good cause to 873  
believe that the person or organization licensed to conduct 874  
electronic instant bingo, or the person or organization licensed 875  
to manufacture or distribute electronic instant bingo systems, 876  
or any of the organization's employees, officers, directors, 877  
agents, representatives, or partners, has violated this chapter 878  
or a rule adopted under this chapter. 879

(E) Whoever knowingly violates division (A), (B), or (C) 880  
of this section or a rule adopted under division (D) of this 881  
section is guilty of illegal electronic instant bingo conduct. 882  
Illegal electronic instant bingo conduct is a misdemeanor of the 883  
first degree, except that if the offender previously has been 884  
convicted of a violation of division (A) or (B) of this section 885  
or of a rule adopted under division (D) of this section, illegal 886  
instant bingo conduct is a felony of the fifth degree. 887

**Section 2.** That existing sections 2915.01, 2915.092, and 888  
2915.14 of the Revised Code are hereby repealed. 889

**Section 3.** This act is hereby declared to be an emergency 890  
measure necessary for the immediate preservation of the public 891  
peace, health, and safety. The reason for such necessity is to 892  
ensure that charitable organizations are able to continue 893  
raising necessary funds for their operations. Therefore, this 894  
act shall go into immediate effect. 895