

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 65

Representatives LaRe, Holmes

**Cosponsors: Representatives Riedel, Leland, Edwards, Lipps, Seitz, Stein,
Richardson, Lanese, Wiggam**

A BILL

To amend sections 109.32, 109.572, 2915.01, 1
2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2
2915.093, 2915.095, 2915.10, 2915.101, 2915.12, 3
and 2915.13 and to enact sections 2915.14 and 4
2915.15 of the Revised Code to allow veterans' 5
and fraternal organizations to conduct 6
electronic instant bingo, to make other changes 7
to the law governing bingo, and to amend the 8
version of section 109.572 of the Revised Code 9
that is scheduled to take effect on October 9, 10
2021, to continue the change on and after that 11
date. 12

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

Section 1. That sections 109.32, 109.572, 2915.01, 13
2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2915.093, 14
2915.095, 2915.10, 2915.101, 2915.12, and 2915.13 be amended and 15
sections 2915.14 and 2915.15 of the Revised Code be enacted to 16
read as follows: 17

Sec. 109.32. (A) All annual filing fees obtained by the 18

attorney general pursuant to section 109.31 of the Revised Code, 19
all receipts obtained from the sale of the charitable 20
foundations directory, all registration fees received by the 21
attorney general, bond forfeitures, awards of costs and 22
attorney's fees, and civil penalties assessed under Chapter 23
1716. of the Revised Code, all license fees received by the 24
attorney general under section 2915.08, 2915.081, or 2915.082 of 25
the Revised Code, all fees received by the attorney general 26
under section 2915.15 of the Revised Code, and all filing fees 27
received by the attorney general under divisions (F) and (G) of 28
section 2915.02 of the Revised Code, shall be paid into the 29
state treasury to the credit of the charitable law fund. ~~The~~ 30

(B) (1) Except as otherwise provided in divisions (B) (2) 31
and (3) of this section, the charitable law fund shall be used 32
insofar as its moneys are available for the expenses of the 33
charitable law section of the office of the attorney general, ~~—~~ 34
~~except that all~~. 35

(2) All annual license fees that are received by the 36
attorney general under section 2915.08, 2915.081, or 2915.082 of 37
the Revised Code, and all filing fees received by the attorney 38
general under divisions (F) and (G) of section 2915.02 of the 39
Revised Code, that are credited to the fund shall be used by the 40
attorney general, or any law enforcement agency in cooperation 41
with the attorney general, for the purposes specified in 42
division (H) of section 2915.10 of the Revised Code and to 43
administer and enforce Chapter 2915. of the Revised Code. ~~The~~ 44

(3) All fees received by the attorney general under 45
section 2915.15 of the Revised Code that are credited to the 46
fund shall be used for the purposes specified in that section. 47

(C) The expenses of the charitable law section in excess 48

of moneys available in the charitable law fund shall be paid out 49
of regular appropriations to the office of the attorney general. 50

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 51
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 52
Code, a completed form prescribed pursuant to division (C) (1) of 53
this section, and a set of fingerprint impressions obtained in 54
the manner described in division (C) (2) of this section, the 55
superintendent of the bureau of criminal identification and 56
investigation shall conduct a criminal records check in the 57
manner described in division (B) of this section to determine 58
whether any information exists that indicates that the person 59
who is the subject of the request previously has been convicted 60
of or pleaded guilty to any of the following: 61

(a) A violation of section 2903.01, 2903.02, 2903.03, 62
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 63
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 64
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 65
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 66
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 67
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 68
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 69
sexual penetration in violation of former section 2907.12 of the 70
Revised Code, a violation of section 2905.04 of the Revised Code 71
as it existed prior to July 1, 1996, a violation of section 72
2919.23 of the Revised Code that would have been a violation of 73
section 2905.04 of the Revised Code as it existed prior to July 74
1, 1996, had the violation been committed prior to that date, or 75
a violation of section 2925.11 of the Revised Code that is not a 76
minor drug possession offense; 77

(b) A violation of an existing or former law of this 78

state, any other state, or the United States that is 79
substantially equivalent to any of the offenses listed in 80
division (A) (1) (a) of this section; 81

(c) If the request is made pursuant to section 3319.39 of 82
the Revised Code for an applicant who is a teacher, any offense 83
specified in section 3319.31 of the Revised Code. 84

(2) On receipt of a request pursuant to section 3712.09 or 85
3721.121 of the Revised Code, a completed form prescribed 86
pursuant to division (C) (1) of this section, and a set of 87
fingerprint impressions obtained in the manner described in 88
division (C) (2) of this section, the superintendent of the 89
bureau of criminal identification and investigation shall 90
conduct a criminal records check with respect to any person who 91
has applied for employment in a position for which a criminal 92
records check is required by those sections. The superintendent 93
shall conduct the criminal records check in the manner described 94
in division (B) of this section to determine whether any 95
information exists that indicates that the person who is the 96
subject of the request previously has been convicted of or 97
pleaded guilty to any of the following: 98

(a) A violation of section 2903.01, 2903.02, 2903.03, 99
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 100
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 101
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 102
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 103
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 104
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 105
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 106
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 107

(b) An existing or former law of this state, any other 108

state, or the United States that is substantially equivalent to 109
any of the offenses listed in division (A) (2) (a) of this 110
section. 111

(3) On receipt of a request pursuant to section 173.27, 112
173.38, 173.381, 3701.881, 5119.34, 5164.34, 5164.341, 5164.342, 113
5123.081, or 5123.169 of the Revised Code, a completed form 114
prescribed pursuant to division (C) (1) of this section, and a 115
set of fingerprint impressions obtained in the manner described 116
in division (C) (2) of this section, the superintendent of the 117
bureau of criminal identification and investigation shall 118
conduct a criminal records check of the person for whom the 119
request is made. The superintendent shall conduct the criminal 120
records check in the manner described in division (B) of this 121
section to determine whether any information exists that 122
indicates that the person who is the subject of the request 123
previously has been convicted of, has pleaded guilty to, or 124
(except in the case of a request pursuant to section 5164.34, 125
5164.341, or 5164.342 of the Revised Code) has been found 126
eligible for intervention in lieu of conviction for any of the 127
following, regardless of the date of the conviction, the date of 128
entry of the guilty plea, or (except in the case of a request 129
pursuant to section 5164.34, 5164.341, or 5164.342 of the 130
Revised Code) the date the person was found eligible for 131
intervention in lieu of conviction: 132

(a) A violation of section 959.13, 959.131, 2903.01, 133
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 134
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 135
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 136
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 137
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 138
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 139

2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02,	140
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05,	141
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42,	142
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48,	143
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12,	144
2919.121, 2919.123, 2919.124, 2919.22, 2919.23, 2919.24,	145
2919.25, 2921.03, 2921.11, 2921.12, 2921.13, 2921.21, 2921.24,	146
2921.32, 2921.321, 2921.34, 2921.35, 2921.36, 2921.51, 2923.12,	147
2923.122, 2923.123, 2923.13, 2923.161, 2923.162, 2923.21,	148
2923.32, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05,	149
2925.06, 2925.09, 2925.11, 2925.13, 2925.14, 2925.141, 2925.22,	150
2925.23, 2925.24, 2925.36, 2925.55, 2925.56, 2927.12, or 3716.11	151
of the Revised Code;	152
(b) Felonious sexual penetration in violation of former	153
section 2907.12 of the Revised Code;	154
(c) A violation of section 2905.04 of the Revised Code as	155
it existed prior to July 1, 1996;	156
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	157
the Revised Code when the underlying offense that is the object	158
of the conspiracy, attempt, or complicity is one of the offenses	159
listed in divisions (A) (3) (a) to (c) of this section;	160
(e) A violation of an existing or former municipal	161
ordinance or law of this state, any other state, or the United	162
States that is substantially equivalent to any of the offenses	163
listed in divisions (A) (3) (a) to (d) of this section.	164
(4) On receipt of a request pursuant to section 2151.86 or	165
2151.904 of the Revised Code, a completed form prescribed	166
pursuant to division (C) (1) of this section, and a set of	167
fingerprint impressions obtained in the manner described in	168

division (C)(2) of this section, the superintendent of the 169
bureau of criminal identification and investigation shall 170
conduct a criminal records check in the manner described in 171
division (B) of this section to determine whether any 172
information exists that indicates that the person who is the 173
subject of the request previously has been convicted of or 174
pleaded guilty to any of the following: 175

(a) A violation of section 959.13, 2903.01, 2903.02, 176
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 177
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 178
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 179
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 180
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 181
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 182
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 183
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 184
2927.12, or 3716.11 of the Revised Code, a violation of section 185
2905.04 of the Revised Code as it existed prior to July 1, 1996, 186
a violation of section 2919.23 of the Revised Code that would 187
have been a violation of section 2905.04 of the Revised Code as 188
it existed prior to July 1, 1996, had the violation been 189
committed prior to that date, a violation of section 2925.11 of 190
the Revised Code that is not a minor drug possession offense, 191
two or more OVI or OVUAC violations committed within the three 192
years immediately preceding the submission of the application or 193
petition that is the basis of the request, or felonious sexual 194
penetration in violation of former section 2907.12 of the 195
Revised Code; 196

(b) A violation of an existing or former law of this 197
state, any other state, or the United States that is 198
substantially equivalent to any of the offenses listed in 199

division (A) (4) (a) of this section.	200
(5) Upon receipt of a request pursuant to section 5104.013	201
of the Revised Code, a completed form prescribed pursuant to	202
division (C) (1) of this section, and a set of fingerprint	203
impressions obtained in the manner described in division (C) (2)	204
of this section, the superintendent of the bureau of criminal	205
identification and investigation shall conduct a criminal	206
records check in the manner described in division (B) of this	207
section to determine whether any information exists that	208
indicates that the person who is the subject of the request has	209
been convicted of or pleaded guilty to any of the following:	210
(a) A violation of section 2151.421, 2903.01, 2903.02,	211
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21,	212
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32,	213
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08,	214
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25,	215
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02,	216
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12,	217
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11,	218
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41,	219
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47,	220
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12,	221
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11,	222
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13,	223
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or	224
3716.11 of the Revised Code, felonious sexual penetration in	225
violation of former section 2907.12 of the Revised Code, a	226
violation of section 2905.04 of the Revised Code as it existed	227
prior to July 1, 1996, a violation of section 2919.23 of the	228
Revised Code that would have been a violation of section 2905.04	229
of the Revised Code as it existed prior to July 1, 1996, had the	230

violation been committed prior to that date, a violation of 231
section 2925.11 of the Revised Code that is not a minor drug 232
possession offense, a violation of section 2923.02 or 2923.03 of 233
the Revised Code that relates to a crime specified in this 234
division, or a second violation of section 4511.19 of the 235
Revised Code within five years of the date of application for 236
licensure or certification. 237

(b) A violation of an existing or former law of this 238
state, any other state, or the United States that is 239
substantially equivalent to any of the offenses or violations 240
described in division (A) (5) (a) of this section. 241

(6) Upon receipt of a request pursuant to section 5153.111 242
of the Revised Code, a completed form prescribed pursuant to 243
division (C) (1) of this section, and a set of fingerprint 244
impressions obtained in the manner described in division (C) (2) 245
of this section, the superintendent of the bureau of criminal 246
identification and investigation shall conduct a criminal 247
records check in the manner described in division (B) of this 248
section to determine whether any information exists that 249
indicates that the person who is the subject of the request 250
previously has been convicted of or pleaded guilty to any of the 251
following: 252

(a) A violation of section 2903.01, 2903.02, 2903.03, 253
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 254
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 255
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 256
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 257
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 258
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 259
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 260

Code, felonious sexual penetration in violation of former 261
section 2907.12 of the Revised Code, a violation of section 262
2905.04 of the Revised Code as it existed prior to July 1, 1996, 263
a violation of section 2919.23 of the Revised Code that would 264
have been a violation of section 2905.04 of the Revised Code as 265
it existed prior to July 1, 1996, had the violation been 266
committed prior to that date, or a violation of section 2925.11 267
of the Revised Code that is not a minor drug possession offense; 268

(b) A violation of an existing or former law of this 269
state, any other state, or the United States that is 270
substantially equivalent to any of the offenses listed in 271
division (A) (6) (a) of this section. 272

(7) On receipt of a request for a criminal records check 273
from an individual pursuant to section 4749.03 or 4749.06 of the 274
Revised Code, accompanied by a completed copy of the form 275
prescribed in division (C) (1) of this section and a set of 276
fingerprint impressions obtained in a manner described in 277
division (C) (2) of this section, the superintendent of the 278
bureau of criminal identification and investigation shall 279
conduct a criminal records check in the manner described in 280
division (B) of this section to determine whether any 281
information exists indicating that the person who is the subject 282
of the request has been convicted of or pleaded guilty to a 283
felony in this state or in any other state. If the individual 284
indicates that a firearm will be carried in the course of 285
business, the superintendent shall require information from the 286
federal bureau of investigation as described in division (B) (2) 287
of this section. Subject to division (F) of this section, the 288
superintendent shall report the findings of the criminal records 289
check and any information the federal bureau of investigation 290
provides to the director of public safety. 291

(8) On receipt of a request pursuant to section 1321.37, 292
1321.53, or 4763.05 of the Revised Code, a completed form 293
prescribed pursuant to division (C)(1) of this section, and a 294
set of fingerprint impressions obtained in the manner described 295
in division (C)(2) of this section, the superintendent of the 296
bureau of criminal identification and investigation shall 297
conduct a criminal records check with respect to any person who 298
has applied for a license, permit, or certification from the 299
department of commerce or a division in the department. The 300
superintendent shall conduct the criminal records check in the 301
manner described in division (B) of this section to determine 302
whether any information exists that indicates that the person 303
who is the subject of the request previously has been convicted 304
of or pleaded guilty to any of the following: a violation of 305
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 306
Revised Code; any other criminal offense involving theft, 307
receiving stolen property, embezzlement, forgery, fraud, passing 308
bad checks, money laundering, or drug trafficking, or any 309
criminal offense involving money or securities, as set forth in 310
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 311
the Revised Code; or any existing or former law of this state, 312
any other state, or the United States that is substantially 313
equivalent to those offenses. 314

(9) On receipt of a request for a criminal records check 315
from the treasurer of state under section 113.041 of the Revised 316
Code or from an individual under section 928.03, 4701.08, 317
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 318
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 319
4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 320
4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.202, 321
4751.21, 4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 322

4760.06, 4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 323
4776.021, 4778.04, 4778.07, 4779.091, or 4783.04 of the Revised 324
Code, accompanied by a completed form prescribed under division 325
(C) (1) of this section and a set of fingerprint impressions 326
obtained in the manner described in division (C) (2) of this 327
section, the superintendent of the bureau of criminal 328
identification and investigation shall conduct a criminal 329
records check in the manner described in division (B) of this 330
section to determine whether any information exists that 331
indicates that the person who is the subject of the request has 332
been convicted of or pleaded guilty to any criminal offense in 333
this state or any other state. Subject to division (F) of this 334
section, the superintendent shall send the results of a check 335
requested under section 113.041 of the Revised Code to the 336
treasurer of state and shall send the results of a check 337
requested under any of the other listed sections to the 338
licensing board specified by the individual in the request. 339

(10) On receipt of a request pursuant to section 124.74, 340
718.131, 1121.23, 1315.141, 1733.47, or 1761.26 of the Revised 341
Code, a completed form prescribed pursuant to division (C) (1) of 342
this section, and a set of fingerprint impressions obtained in 343
the manner described in division (C) (2) of this section, the 344
superintendent of the bureau of criminal identification and 345
investigation shall conduct a criminal records check in the 346
manner described in division (B) of this section to determine 347
whether any information exists that indicates that the person 348
who is the subject of the request previously has been convicted 349
of or pleaded guilty to any criminal offense under any existing 350
or former law of this state, any other state, or the United 351
States. 352

(11) On receipt of a request for a criminal records check 353

from an appointing or licensing authority under section 3772.07 354
of the Revised Code, a completed form prescribed under division 355
(C) (1) of this section, and a set of fingerprint impressions 356
obtained in the manner prescribed in division (C) (2) of this 357
section, the superintendent of the bureau of criminal 358
identification and investigation shall conduct a criminal 359
records check in the manner described in division (B) of this 360
section to determine whether any information exists that 361
indicates that the person who is the subject of the request 362
previously has been convicted of or pleaded guilty or no contest 363
to any offense under any existing or former law of this state, 364
any other state, or the United States that is a disqualifying 365
offense as defined in section 3772.07 of the Revised Code or 366
substantially equivalent to such an offense. 367

(12) On receipt of a request pursuant to section 2151.33 368
or 2151.412 of the Revised Code, a completed form prescribed 369
pursuant to division (C) (1) of this section, and a set of 370
fingerprint impressions obtained in the manner described in 371
division (C) (2) of this section, the superintendent of the 372
bureau of criminal identification and investigation shall 373
conduct a criminal records check with respect to any person for 374
whom a criminal records check is required under that section. 375
The superintendent shall conduct the criminal records check in 376
the manner described in division (B) of this section to 377
determine whether any information exists that indicates that the 378
person who is the subject of the request previously has been 379
convicted of or pleaded guilty to any of the following: 380

(a) A violation of section 2903.01, 2903.02, 2903.03, 381
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 382
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 383
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 384

2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 385
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 386
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 387
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 388
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 389

(b) An existing or former law of this state, any other 390
state, or the United States that is substantially equivalent to 391
any of the offenses listed in division (A) (12) (a) of this 392
section. 393

(13) On receipt of a request pursuant to section 3796.12 394
of the Revised Code, a completed form prescribed pursuant to 395
division (C) (1) of this section, and a set of fingerprint 396
impressions obtained in a manner described in division (C) (2) of 397
this section, the superintendent of the bureau of criminal 398
identification and investigation shall conduct a criminal 399
records check in the manner described in division (B) of this 400
section to determine whether any information exists that 401
indicates that the person who is the subject of the request 402
previously has been convicted of or pleaded guilty to the 403
following: 404

(a) A disqualifying offense as specified in rules adopted 405
under division (B) (2) (b) of section 3796.03 of the Revised Code 406
if the person who is the subject of the request is an 407
administrator or other person responsible for the daily 408
operation of, or an owner or prospective owner, officer or 409
prospective officer, or board member or prospective board member 410
of, an entity seeking a license from the department of commerce 411
under Chapter 3796. of the Revised Code; 412

(b) A disqualifying offense as specified in rules adopted 413
under division (B) (2) (b) of section 3796.04 of the Revised Code 414

if the person who is the subject of the request is an 415
administrator or other person responsible for the daily 416
operation of, or an owner or prospective owner, officer or 417
prospective officer, or board member or prospective board member 418
of, an entity seeking a license from the state board of pharmacy 419
under Chapter 3796. of the Revised Code. 420

(14) On receipt of a request required by section 3796.13 421
of the Revised Code, a completed form prescribed pursuant to 422
division (C)(1) of this section, and a set of fingerprint 423
impressions obtained in a manner described in division (C)(2) of 424
this section, the superintendent of the bureau of criminal 425
identification and investigation shall conduct a criminal 426
records check in the manner described in division (B) of this 427
section to determine whether any information exists that 428
indicates that the person who is the subject of the request 429
previously has been convicted of or pleaded guilty to the 430
following: 431

(a) A disqualifying offense as specified in rules adopted 432
under division (B)(8)(a) of section 3796.03 of the Revised Code 433
if the person who is the subject of the request is seeking 434
employment with an entity licensed by the department of commerce 435
under Chapter 3796. of the Revised Code; 436

(b) A disqualifying offense as specified in rules adopted 437
under division (B)(14)(a) of section 3796.04 of the Revised Code 438
if the person who is the subject of the request is seeking 439
employment with an entity licensed by the state board of 440
pharmacy under Chapter 3796. of the Revised Code. 441

(15) On receipt of a request pursuant to section 4768.06 442
of the Revised Code, a completed form prescribed under division 443
(C)(1) of this section, and a set of fingerprint impressions 444

obtained in the manner described in division (C) (2) of this 445
section, the superintendent of the bureau of criminal 446
identification and investigation shall conduct a criminal 447
records check in the manner described in division (B) of this 448
section to determine whether any information exists indicating 449
that the person who is the subject of the request has been 450
convicted of or pleaded guilty to a felony in this state or in 451
any other state. 452

(16) On receipt of a request pursuant to division (B) of 453
section 4764.07 or division (A) of section 4735.143 of the 454
Revised Code, a completed form prescribed under division (C) (1) 455
of this section, and a set of fingerprint impressions obtained 456
in the manner described in division (C) (2) of this section, the 457
superintendent of the bureau of criminal identification and 458
investigation shall conduct a criminal records check in the 459
manner described in division (B) of this section to determine 460
whether any information exists indicating that the person who is 461
the subject of the request has been convicted of or pleaded 462
guilty to any crime of moral turpitude, a felony, or an 463
equivalent offense in any other state or the United States. 464

(17) On receipt of a request for a criminal records check 465
under section 147.022 of the Revised Code, a completed form 466
prescribed under division (C) (1) of this section, and a set of 467
fingerprint impressions obtained in the manner prescribed in 468
division (C) (2) of this section, the superintendent of the 469
bureau of criminal identification and investigation shall 470
conduct a criminal records check in the manner described in 471
division (B) of this section to determine whether any 472
information exists that indicates that the person who is the 473
subject of the request previously has been convicted of or 474
pleaded guilty or no contest to any disqualifying offense, as 475

defined in section 147.011 of the Revised Code, or to any 476
offense under any existing or former law of this state, any 477
other state, or the United States that is substantially 478
equivalent to such a disqualifying offense. 479

(18) Upon receipt of a request pursuant to division (F) of 480
section 2915.081 or division (E) of section 2915.082 of the 481
Revised Code, a completed form prescribed under division (C)(1) 482
of this section, and a set of fingerprint impressions obtained 483
in the manner described in division (C)(2) of this section, the 484
superintendent of the bureau of criminal identification and 485
investigation shall conduct a criminal records check in the 486
manner described in division (B) of this section to determine 487
whether any information exists indicating that the person who is 488
the subject of the request has been convicted of or pleaded 489
guilty or no contest to any offense that is a violation of 490
Chapter 2915. of the Revised Code or to any offense under any 491
existing or former law of this state, any other state, or the 492
United States that is substantially equivalent to such an 493
offense. 494

(B) Subject to division (F) of this section, the 495
superintendent shall conduct any criminal records check to be 496
conducted under this section as follows: 497

(1) The superintendent shall review or cause to be 498
reviewed any relevant information gathered and compiled by the 499
bureau under division (A) of section 109.57 of the Revised Code 500
that relates to the person who is the subject of the criminal 501
records check, including, if the criminal records check was 502
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 503
173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 504
1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 505

3712.09, 3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 506
4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 507
5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 508
5153.111 of the Revised Code, any relevant information contained 509
in records that have been sealed under section 2953.32 of the 510
Revised Code; 511

(2) If the request received by the superintendent asks for 512
information from the federal bureau of investigation, the 513
superintendent shall request from the federal bureau of 514
investigation any information it has with respect to the person 515
who is the subject of the criminal records check, including 516
fingerprint-based checks of national crime information databases 517
as described in 42 U.S.C. 671 if the request is made pursuant to 518
section 2151.86 or 5104.013 of the Revised Code or if any other 519
Revised Code section requires fingerprint-based checks of that 520
nature, and shall review or cause to be reviewed any information 521
the superintendent receives from that bureau. If a request under 522
section 3319.39 of the Revised Code asks only for information 523
from the federal bureau of investigation, the superintendent 524
shall not conduct the review prescribed by division (B) (1) of 525
this section. 526

(3) The superintendent or the superintendent's designee 527
may request criminal history records from other states or the 528
federal government pursuant to the national crime prevention and 529
privacy compact set forth in section 109.571 of the Revised 530
Code. 531

(4) The superintendent shall include in the results of the 532
criminal records check a list or description of the offenses 533
listed or described in the relevant provision of division (A) 534
~~(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12),~~ 535

~~(13), (14), (15), (16), or (17)~~ of this section, ~~whichever~~ 536
~~division requires the superintendent to conduct the criminal~~ 537
~~records check.~~ The superintendent shall exclude from the results 538
any information the dissemination of which is prohibited by 539
federal law. 540

(5) The superintendent shall send the results of the 541
criminal records check to the person to whom it is to be sent 542
not later than the following number of days after the date the 543
superintendent receives the request for the criminal records 544
check, the completed form prescribed under division (C) (1) of 545
this section, and the set of fingerprint impressions obtained in 546
the manner described in division (C) (2) of this section: 547

(a) If the superintendent is required by division (A) of 548
this section (other than division (A) (3) of this section) to 549
conduct the criminal records check, thirty; 550

(b) If the superintendent is required by division (A) (3) 551
of this section to conduct the criminal records check, sixty. 552

(C) (1) The superintendent shall prescribe a form to obtain 553
the information necessary to conduct a criminal records check 554
from any person for whom a criminal records check is to be 555
conducted under this section. The form that the superintendent 556
prescribes pursuant to this division may be in a tangible 557
format, in an electronic format, or in both tangible and 558
electronic formats. 559

(2) The superintendent shall prescribe standard impression 560
sheets to obtain the fingerprint impressions of any person for 561
whom a criminal records check is to be conducted under this 562
section. Any person for whom a records check is to be conducted 563
under this section shall obtain the fingerprint impressions at a 564

county sheriff's office, municipal police department, or any 565
other entity with the ability to make fingerprint impressions on 566
the standard impression sheets prescribed by the superintendent. 567
The office, department, or entity may charge the person a 568
reasonable fee for making the impressions. The standard 569
impression sheets the superintendent prescribes pursuant to this 570
division may be in a tangible format, in an electronic format, 571
or in both tangible and electronic formats. 572

(3) Subject to division (D) of this section, the 573
superintendent shall prescribe and charge a reasonable fee for 574
providing a criminal records check under this section. The 575
person requesting the criminal records check shall pay the fee 576
prescribed pursuant to this division. In the case of a request 577
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 578
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 579
fee shall be paid in the manner specified in that section. 580

(4) The superintendent of the bureau of criminal 581
identification and investigation may prescribe methods of 582
forwarding fingerprint impressions and information necessary to 583
conduct a criminal records check, which methods shall include, 584
but not be limited to, an electronic method. 585

(D) The results of a criminal records check conducted 586
under this section, other than a criminal records check 587
specified in division (A)(7) of this section, are valid for the 588
person who is the subject of the criminal records check for a 589
period of one year from the date upon which the superintendent 590
completes the criminal records check. If during that period the 591
superintendent receives another request for a criminal records 592
check to be conducted under this section for that person, the 593
superintendent shall provide the results from the previous 594

criminal records check of the person at a lower fee than the fee 595
prescribed for the initial criminal records check. 596

(E) When the superintendent receives a request for 597
information from a registered private provider, the 598
superintendent shall proceed as if the request was received from 599
a school district board of education under section 3319.39 of 600
the Revised Code. The superintendent shall apply division (A) (1) 601
(c) of this section to any such request for an applicant who is 602
a teacher. 603

(F) (1) Subject to division (F) (2) of this section, all 604
information regarding the results of a criminal records check 605
conducted under this section that the superintendent reports or 606
sends under division (A) (7) or (9) of this section to the 607
director of public safety, the treasurer of state, or the 608
person, board, or entity that made the request for the criminal 609
records check shall relate to the conviction of the subject 610
person, or the subject person's plea of guilty to, a criminal 611
offense. 612

(2) Division (F) (1) of this section does not limit, 613
restrict, or preclude the superintendent's release of 614
information that relates to the arrest of a person who is 615
eighteen years of age or older, to an adjudication of a child as 616
a delinquent child, or to a criminal conviction of a person 617
under eighteen years of age in circumstances in which a release 618
of that nature is authorized under division (E) (2), (3), or (4) 619
of section 109.57 of the Revised Code pursuant to a rule adopted 620
under division (E) (1) of that section. 621

(G) As used in this section: 622

(1) "Criminal records check" means any criminal records 623

check conducted by the superintendent of the bureau of criminal 624
identification and investigation in accordance with division (B) 625
of this section. 626

(2) "Minor drug possession offense" has the same meaning 627
as in section 2925.01 of the Revised Code. 628

(3) "OVI or OVUAC violation" means a violation of section 629
4511.19 of the Revised Code or a violation of an existing or 630
former law of this state, any other state, or the United States 631
that is substantially equivalent to section 4511.19 of the 632
Revised Code. 633

(4) "Registered private provider" means a nonpublic school 634
or entity registered with the superintendent of public 635
instruction under section 3310.41 of the Revised Code to 636
participate in the autism scholarship program or section 3310.58 637
of the Revised Code to participate in the Jon Peterson special 638
needs scholarship program. 639

Sec. 2915.01. As used in this chapter: 640

(A) "Bookmaking" means the business of receiving or paying 641
off bets. 642

(B) "Bet" means the hazarding of anything of value upon 643
the result of an event, undertaking, or contingency, but does 644
not include a bona fide business risk. 645

(C) "Scheme of chance" means a slot machine unless 646
authorized under Chapter 3772. of the Revised Code, lottery 647
unless authorized under Chapter 3770. of the Revised Code, 648
numbers game, pool conducted for profit, or other scheme in 649
which a participant gives a valuable consideration for a chance 650
to win a prize, but does not include bingo, a skill-based 651
amusement machine, or a pool not conducted for profit. "Scheme 652

of chance" includes the use of an electronic device to reveal 653
the results of a game entry if valuable consideration is paid, 654
directly or indirectly, for a chance to win a prize. Valuable 655
consideration is deemed to be paid for a chance to win a prize 656
in the following instances: 657

(1) Less than fifty per cent of the goods or services sold 658
by a scheme of chance operator in exchange for game entries are 659
used or redeemed by participants at any one location; 660

(2) Less than fifty per cent of participants who purchase 661
goods or services at any one location do not accept, use, or 662
redeem the goods or services sold or purportedly sold; 663

(3) More than fifty per cent of prizes at any one location 664
are revealed to participants through an electronic device 665
simulating a game of chance or a "casino game" as defined in 666
section 3772.01 of the Revised Code; 667

(4) The good or service sold by a scheme of chance 668
operator in exchange for a game entry cannot be used or redeemed 669
in the manner advertised; 670

(5) A participant pays more than fair market value for 671
goods or services offered by a scheme of chance operator in 672
order to receive one or more game entries; 673

(6) A participant may use the electronic device to 674
purchase additional game entries; 675

(7) A participant may purchase additional game entries by 676
using points or credits won as prizes while using the electronic 677
device; 678

(8) A scheme of chance operator pays out in prize money 679
more than twenty per cent of the gross revenue received at one 680

location; or 681

(9) A participant makes a purchase or exchange in order to 682
obtain any good or service that may be used to facilitate play 683
on the electronic device. 684

As used in this division, "electronic device" means a 685
mechanical, video, digital, or electronic machine or device that 686
is capable of displaying information on a screen or other 687
mechanism and that is owned, leased, or otherwise possessed by 688
any person conducting a scheme of chance, or by that person's 689
partners, affiliates, subsidiaries, or contractors. "Electronic 690
device" does not include an electronic instant bingo system. 691

(D) "Game of chance" means poker, craps, roulette, or 692
other game in which a player gives anything of value in the hope 693
of gain, the outcome of which is determined largely by chance, 694
but does not include bingo. 695

(E) "Game of chance conducted for profit" means any game 696
of chance designed to produce income for the person who conducts 697
or operates the game of chance, but does not include bingo. 698

(F) "Gambling device" means any of the following: 699

(1) A book, totalizer, or other equipment for recording 700
bets; 701

(2) A ticket, token, or other device representing a 702
chance, share, or interest in a scheme of chance or evidencing a 703
bet; 704

(3) A deck of cards, dice, gaming table, roulette wheel, 705
slot machine, or other apparatus designed for use in connection 706
with a game of chance; 707

(4) Any equipment, device, apparatus, or paraphernalia 708

specially designed for gambling purposes;	709
(5) Bingo supplies sold or otherwise provided, or used, in violation of this chapter.	710 711
(G) "Gambling offense" means any of the following:	712
(1) A violation of section 2915.02, 2915.03, 2915.04, 2915.05, 2915.06, 2915.07, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2915.092, 2915.10, or 2915.11 of the Revised Code <u>this chapter</u> ;	713 714 715 716
(2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States substantially equivalent to any section listed in division (G) (1) <u>provision of this section chapter</u> or a violation of section 2915.06 of the Revised Code as it existed prior to July 1, 1996;	717 718 719 720 721
(3) An offense under an existing or former municipal ordinance or law of this or any other state or the United States, of which gambling is an element;	722 723 724
(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (G) (1), (2), or (3) of this section.	725 726 727
(H) Except as otherwise provided in this chapter, "charitable organization" means either of the following:	728 729
(1) An organization that is, and has received from the internal revenue service a determination letter that currently is in effect stating that the organization is, exempt from federal income taxation under subsection 501(a) and described in subsection 501(c) (3) of the Internal Revenue Code;	730 731 732 733 734
(2) A volunteer rescue service organization, volunteer firefighter's organization, veteran's organization, fraternal	735 736

organization, or sporting organization that is exempt from 737
federal income taxation under subsection 501(c)(4), (c)(7), (c) 738
(8), (c)(10), or (c)(19) of the Internal Revenue Code. 739

To qualify as a "charitable organization," an organization 740
shall have been in continuous existence as such in this state 741
for a period of two years immediately preceding either the 742
making of an application for a bingo license under section 743
2915.08 of the Revised Code or the conducting of any game of 744
chance as provided in division (D) of section 2915.02 of the 745
Revised Code. 746

(I) "Religious organization" means any church, body of 747
communicants, or group that is not organized or operated for 748
profit and that gathers in common membership for regular worship 749
and religious observances. 750

(J) "Veteran's organization" means any individual post or 751
state headquarters of a national veteran's association or an 752
auxiliary unit of any individual post of a national veteran's 753
association, which post, state headquarters, or auxiliary unit 754
is incorporated as a nonprofit corporation and either has 755
received a letter from the state headquarters of the national 756
veteran's association indicating that the individual post or 757
auxiliary unit is in good standing with the national veteran's 758
association or has received a letter from the national veteran's 759
association indicating that the state headquarters is in good 760
standing with the national veteran's association. As used in 761
this division, "national veteran's association" means any 762
veteran's association that has been in continuous existence as 763
such for a period of at least five years and either is 764
incorporated by an act of the United States congress or has a 765
national dues-paying membership of at least five thousand 766

persons. 767

(K) "Volunteer firefighter's organization" means any 768
organization of volunteer firefighters, as defined in section 769
146.01 of the Revised Code, that is organized and operated 770
exclusively to provide financial support for a volunteer fire 771
department or a volunteer fire company and that is recognized or 772
ratified by a county, municipal corporation, or township. 773

(L) "Fraternal organization" means any society, order, 774
state headquarters, or association within this state, except a 775
college or high school fraternity, that is not organized for 776
profit, that is a branch, lodge, or chapter of a national or 777
state organization, that exists exclusively for the common 778
business or sodality of its members. 779

(M) "Volunteer rescue service organization" means any 780
organization of volunteers organized to function as an emergency 781
medical service organization, as defined in section 4765.01 of 782
the Revised Code. 783

(N) "Charitable bingo game" means any bingo game described 784
in division (O) (1) or (2) of this section that is conducted by a 785
charitable organization that has obtained a license pursuant to 786
section 2915.08 of the Revised Code and the proceeds of which 787
are used for a charitable purpose. 788

(O) "Bingo" means either of the following: 789

(1) A game with all of the following characteristics: 790

(a) The participants use bingo cards or sheets, including 791
paper formats and electronic representation or image formats, 792
that are divided into twenty-five spaces arranged in five 793
horizontal and five vertical rows of spaces, with each space, 794
except the central space, being designated by a combination of a 795

letter and a number and with the central space being designated 796
as a free space. 797

(b) The participants cover the spaces on the bingo cards 798
or sheets that correspond to combinations of letters and numbers 799
that are announced by a bingo game operator. 800

(c) A bingo game operator announces combinations of 801
letters and numbers that appear on objects that a bingo game 802
operator selects by chance, either manually or mechanically, 803
from a receptacle that contains seventy-five objects at the 804
beginning of each game, each object marked by a different 805
combination of a letter and a number that corresponds to one of 806
the seventy-five possible combinations of a letter and a number 807
that can appear on the bingo cards or sheets. 808

(d) The winner of the bingo game includes any participant 809
who properly announces during the interval between the 810
announcements of letters and numbers as described in division 811
(O) (1) (c) of this section, that a predetermined and preannounced 812
pattern of spaces has been covered on a bingo card or sheet 813
being used by the participant. 814

(2) Instant bingo, ~~punch boards~~ electronic instant bingo, 815
and raffles. 816

(P) "Conduct" means to back, promote, organize, manage, 817
carry on, sponsor, or prepare for the operation of bingo or a 818
game of chance, a scheme of chance, or a sweepstakes. 819

(Q) "Bingo game operator" means any person, except 820
security personnel, who performs work or labor at the site of 821
bingo, including, but not limited to, collecting money from 822
participants, handing out bingo cards or sheets or objects to 823
cover spaces on bingo cards or sheets, selecting from a 824

receptacle the objects that contain the combination of letters 825
and numbers that appear on bingo cards or sheets, calling out 826
the combinations of letters and numbers, distributing prizes, 827
selling or redeeming instant bingo tickets or cards, selling or 828
redeeming electronic instant bingo tickets, credits, or 829
vouchers, accessing an electronic instant bingo system other 830
than as a participant, supervising the operation of a punch 831
board, selling raffle tickets, selecting raffle tickets from a 832
receptacle and announcing the winning numbers in a raffle, and 833
preparing, selling, and serving food or beverages. "Bingo game 834
operator" does not include a person who is maintaining, 835
updating, or repairing an electronic instant bingo system. 836

(R) "Participant" means any person who plays bingo. 837

(S) "Bingo session" means a period that includes both of 838
the following: 839

(1) Not to exceed five continuous hours for the conduct of 840
one or more games described in division (O) (1) of this section, 841
instant bingo, and ~~seal cards~~ electronic instant bingo; 842

(2) A period for the conduct of instant bingo and ~~seal~~ 843
~~cards~~ electronic instant bingo for not more than two hours 844
before and not more than two hours after the period described in 845
division (S) (1) of this section. 846

(T) "Gross receipts" means all money or assets, including 847
admission fees, that a person receives from bingo without the 848
deduction of any amounts for prizes paid out or for the expenses 849
of conducting bingo. "Gross receipts" does not include any money 850
directly taken in from the sale of food or beverages by a 851
charitable organization conducting bingo, or by a bona fide 852
auxiliary unit or society of a charitable organization 853

conducting bingo, provided all of the following apply: 854

(1) The auxiliary unit or society has been in existence as 855
a bona fide auxiliary unit or society of the charitable 856
organization for at least two years prior to conducting bingo. 857

(2) The person who purchases the food or beverage receives 858
nothing of value except the food or beverage and items 859
customarily received with the purchase of that food or beverage. 860

(3) The food and beverages are sold at customary and 861
reasonable prices. 862

(U) "Security personnel" includes any person who either is 863
a sheriff, deputy sheriff, marshal, deputy marshal, township 864
constable, or member of an organized police department of a 865
municipal corporation or has successfully completed a peace 866
officer's training course pursuant to sections 109.71 to 109.79 867
of the Revised Code and who is hired to provide security for the 868
premises on which bingo is conducted. 869

(V) "Charitable purpose" means that the net profit of 870
bingo, other than instant bingo or electronic instant bingo, is 871
used by, or is given, donated, or otherwise transferred to, any 872
of the following: 873

(1) Any organization that is described in subsection 874
509(a) (1), 509(a) (2), or 509(a) (3) of the Internal Revenue Code 875
and is either a governmental unit or an organization that is tax 876
exempt under subsection 501(a) and described in subsection 877
501(c) (3) of the Internal Revenue Code; 878

(2) A veteran's organization that is a post, chapter, or 879
organization of veterans, or an auxiliary unit or society of, or 880
a trust or foundation for, any such post, chapter, or 881
organization organized in the United States or any of its 882

possessions, at least seventy-five per cent of the members of 883
which are veterans and substantially all of the other members of 884
which are individuals who are spouses, widows, or widowers of 885
veterans, or such individuals, provided that no part of the net 886
earnings of such post, chapter, or organization inures to the 887
benefit of any private shareholder or individual, and further 888
provided that the net profit is used by the post, chapter, or 889
organization for the charitable purposes set forth in division 890
(B) (12) of section 5739.02 of the Revised Code, is used for 891
awarding scholarships to or for attendance at an institution 892
mentioned in division (B) (12) of section 5739.02 of the Revised 893
Code, is donated to a governmental agency, or is used for 894
nonprofit youth activities, the purchase of United States or 895
Ohio flags that are donated to schools, youth groups, or other 896
bona fide nonprofit organizations, promotion of patriotism, or 897
disaster relief; 898

(3) A fraternal organization that has been in continuous 899
existence in this state for fifteen years and that uses the net 900
profit exclusively for religious, charitable, scientific, 901
literary, or educational purposes, or for the prevention of 902
cruelty to children or animals, if contributions for such use 903
would qualify as a deductible charitable contribution under 904
subsection 170 of the Internal Revenue Code; 905

(4) A volunteer firefighter's organization that uses the 906
net profit for the purposes set forth in division (K) of this 907
section. 908

(W) "Internal Revenue Code" means the "Internal Revenue 909
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 910
amended. 911

(X) "Youth athletic organization" means any organization, 912

not organized for profit, that is organized and operated 913
exclusively to provide financial support to, or to operate, 914
athletic activities for persons who are twenty-one years of age 915
or younger by means of sponsoring, organizing, operating, or 916
contributing to the support of an athletic team, club, league, 917
or association. 918

(Y) "Youth athletic park organization" means any 919
organization, not organized for profit, that satisfies both of 920
the following: 921

(1) It owns, operates, and maintains playing fields that 922
satisfy both of the following: 923

(a) The playing fields are used ~~at least one hundred days~~ 924
~~per year~~ for athletic activities by one or more organizations, 925
not organized for profit, each of which is organized and 926
operated exclusively to provide financial support to, or to 927
operate, athletic activities for persons who are eighteen years 928
of age or younger by means of sponsoring, organizing, operating, 929
or contributing to the support of an athletic team, club, 930
league, or association. 931

(b) The playing fields are not used for any profit-making 932
activity at any time during the year. 933

(2) It uses the proceeds of bingo it conducts exclusively 934
for the operation, maintenance, and improvement of its playing 935
fields of the type described in division (Y) (1) of this section. 936

(Z) "Bingo supplies" means bingo cards or sheets; instant 937
bingo tickets or cards; electronic bingo aids; raffle tickets; 938
punch boards; seal cards; instant bingo ticket dispensers; 939
electronic instant bingo systems; and devices for selecting or 940
displaying the combination of bingo letters and numbers or 941

raffle tickets. Items that are "bingo supplies" are not gambling 942
devices if sold or otherwise provided, and used, in accordance 943
with this chapter. For purposes of this chapter, "bingo 944
supplies" are not to be considered equipment used to conduct a 945
bingo game. 946

(AA) "Instant bingo" means a form of bingo that shall use 947
folded or banded tickets or paper cards with perforated break- 948
open tabs, a face of which is covered or otherwise hidden from 949
view to conceal a number, letter, or symbol, or set of numbers, 950
letters, or symbols, some of which have been designated in 951
advance as prize winners, and may ~~also~~ include games in which 952
some winners are determined by the random selection of one or 953
more bingo numbers by the use of a seal card or bingo blower. 954
"Instant bingo" also includes a punch board game. In all 955
"instant bingo" the prize amount and structure shall be 956
predetermined. "Instant bingo" does not include electronic 957
instant bingo or any device that is activated by the insertion 958
of a coin, currency, token, or an equivalent, and that contains 959
as one of its components a video display monitor that is capable 960
of displaying numbers, letters, symbols, or characters in 961
winning or losing combinations. 962

(BB) "Seal card" means a form of instant bingo that uses 963
instant bingo tickets in conjunction with a board or placard 964
that contains one or more seals that, when removed or opened, 965
reveal predesignated winning numbers, letters, or symbols. 966

(CC) "Raffle" means a form of bingo in which the one or 967
more prizes are won by one or more persons who have purchased a 968
raffle ticket. The one or more winners of the raffle are 969
determined by drawing a ticket stub or other detachable section 970
from a receptacle containing ticket stubs or detachable sections 971

corresponding to all tickets sold for the raffle. "Raffle" does 972
not include the drawing of a ticket stub or other detachable 973
section of a ticket purchased to attend a professional sporting 974
event if both of the following apply: 975

(1) The ticket stub or other detachable section is used to 976
select the winner of a free prize given away at the professional 977
sporting event; and 978

(2) The cost of the ticket is the same as the cost of a 979
ticket to the professional sporting event on days when no free 980
prize is given away. 981

(DD) "Punch board" means a form of instant bingo that uses 982
a board containing a number of holes or receptacles of uniform 983
size in which are placed, mechanically and randomly, serially 984
numbered slips of paper that may be punched or drawn from the 985
hole or receptacle ~~when used in conjunction with instant bingo.~~ 986
A player may punch or draw the numbered slips of paper from the 987
holes or receptacles and obtain the prize established for the 988
game if the number drawn corresponds to a winning number or, if 989
the punch board includes the use of a seal card, a potential 990
winning number. 991

(EE) "Gross profit" means gross receipts minus the amount 992
actually expended for the payment of prize awards. 993

(FF) "Net profit" means gross profit minus expenses. 994

(GG) "Expenses" means the reasonable amount of gross 995
profit actually expended for all of the following: 996

(1) The purchase or lease of bingo supplies; 997

(2) The annual license fee required under section 2915.08 998
of the Revised Code; 999

(3) Bank fees and service charges for a bingo session or game account described in section 2915.10 of the Revised Code;	1000 1001
(4) Audits and accounting services;	1002
(5) Safes;	1003
(6) Cash registers;	1004
(7) Hiring security personnel;	1005
(8) Advertising bingo;	1006
(9) Renting premises in which to conduct a bingo session;	1007
(10) Tables and chairs;	1008
(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;	1009 1010 1011 1012 1013
(12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted;	1014 1015
(13) Any other product or service directly related to the conduct of bingo that is authorized in rules adopted by the attorney general under division (B) (1) <u>(F) (1)</u> of section 2915.08 of the Revised Code.	1016 1017 1018 1019
(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.	1020 1021 1022
(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.	1023 1024 1025 1026

(JJ) "Suspend" means to interrupt temporarily all rights	1027
and privileges of the holder of a license issued under section	1028
2915.08, 2915.081, or 2915.082 of the Revised Code or a	1029
charitable gaming license issued by another jurisdiction.	1030
(KK) "Distributor" means any person who purchases or	1031
obtains bingo supplies and who does either of the following:	1032
(1) Sells, offers for sale, or otherwise provides or	1033
offers to provide the bingo supplies to another person for use	1034
in this state;	1035
(2) Modifies, converts, adds to, or removes parts from the	1036
bingo supplies to further their promotion or sale for use in	1037
this state.	1038
(LL) "Manufacturer" means any person who assembles	1039
completed bingo supplies from raw materials, other items, or	1040
subparts or who modifies, converts, adds to, or removes parts	1041
from bingo supplies to further their promotion or sale.	1042
(MM) "Gross annual revenues" means the annual gross	1043
receipts derived from the conduct of bingo described in division	1044
(O) (1) of this section plus the annual net profit derived from	1045
the conduct of bingo described in division (O) (2) of this	1046
section.	1047
(NN) "Instant bingo ticket dispenser" means a mechanical	1048
device that dispenses an instant bingo ticket or card as the	1049
sole item of value dispensed and that has the following	1050
characteristics:	1051
(1) It is activated upon the insertion of United States	1052
currency.	1053
(2) It performs no gaming functions.	1054

- (3) It does not contain a video display monitor or
generate noise. 1055
1056
- (4) It is not capable of displaying any numbers, letters,
symbols, or characters in winning or losing combinations. 1057
1058
- (5) It does not simulate or display rolling or spinning
reels. 1059
1060
- (6) It is incapable of determining whether a dispensed
bingo ticket or card is a winning or nonwinning ticket or card 1061
and requires a winning ticket or card to be paid by a bingo game 1062
operator. 1063
1064
- (7) It may provide accounting and security features to aid
in accounting for the instant bingo tickets or cards it 1065
dispenses. 1066
1067
- (8) It is not part of an electronic network and is not
interactive. 1068
1069
- (OO) (1) "Electronic bingo aid" means an electronic device 1070
used by a participant to monitor bingo cards or sheets purchased 1071
at the time and place of a bingo session and that does all of 1072
the following: 1073
- (a) It provides a means for a participant to input numbers
and letters announced by a bingo caller. 1074
1075
- (b) It compares the numbers and letters entered by the
participant to the bingo faces previously stored in the memory 1076
of the device. 1077
1078
- (c) It identifies a winning bingo pattern. 1079
- (2) "Electronic bingo aid" does not include any device 1080
into which a coin, currency, token, or an equivalent is inserted 1081

to activate play. 1082

(PP) "~~Deal of instant bingo tickets~~" means a single game 1083
of instant bingo tickets, or a single game of electronic instant 1084
bingo tickets, all with the same serial number. 1085

(QQ) (1) "Slot machine" means either of the following: 1086

(a) Any mechanical, electronic, video, or digital device 1087
that is capable of accepting anything of value, directly or 1088
indirectly, from or on behalf of a player who gives the thing of 1089
value in the hope of gain; 1090

(b) Any mechanical, electronic, video, or digital device 1091
that is capable of accepting anything of value, directly or 1092
indirectly, from or on behalf of a player to conduct bingo or a 1093
scheme or game of chance. 1094

(2) "Slot machine" does not include a skill-based 1095
amusement machine ~~or~~, an instant bingo ticket dispenser, or an 1096
electronic instant bingo system. 1097

(RR) "Net profit from the proceeds of the sale of instant 1098
bingo or electronic instant bingo" means gross profit minus the 1099
ordinary, necessary, and reasonable expense expended for the 1100
purchase of ~~instant bingo supplies~~ for the purpose of conducting 1101
instant bingo or electronic instant bingo, and, in the case of 1102
instant bingo or electronic instant bingo conducted by a 1103
veteran's, fraternal, or sporting organization, minus the 1104
payment by that organization of real property taxes and 1105
assessments levied on a premises on which instant bingo or 1106
electronic instant bingo is conducted. 1107

(SS) "Charitable instant bingo organization" means an 1108
organization that is exempt from federal income taxation under 1109
subsection 501(a) and described in subsection 501(c) (3) of the 1110

Internal Revenue Code and is a charitable organization as 1111
defined in this section. A "charitable instant bingo 1112
organization" does not include a charitable organization that is 1113
exempt from federal income taxation under subsection 501(a) and 1114
described in subsection 501(c)(3) of the Internal Revenue Code 1115
and that is created by a veteran's organization, a fraternal 1116
organization, or a sporting organization in regards to bingo 1117
conducted or assisted by a veteran's organization, a fraternal 1118
organization, or a sporting organization pursuant to section 1119
2915.13 of the Revised Code. 1120

(TT) "Game flare" means the board or placard, or 1121
electronic representation of a board or placard, that 1122
accompanies each deal of instant bingo or electronic instant 1123
bingo tickets and that ~~has printed on or affixed to it~~ includes 1124
the following information for the game: 1125

(1) The name of the game; 1126

(2) The manufacturer's name or distinctive logo; 1127

(3) The form number; 1128

(4) The ticket count; 1129

(5) The prize structure, including the number of winning 1130
~~instant bingo~~ tickets by denomination and the respective winning 1131
symbol or number combinations for the winning ~~instant bingo~~ 1132
tickets; 1133

(6) The cost per play; 1134

(7) The serial number of the game. 1135

(UU) (1) "Skill-based amusement machine" means a 1136
mechanical, video, digital, or electronic device that rewards 1137
the player or players, if at all, only with merchandise prizes 1138

or with redeemable vouchers redeemable only for merchandise 1139
prizes, provided that with respect to rewards for playing the 1140
game all of the following apply: 1141

(a) The wholesale value of a merchandise prize awarded as 1142
a result of the single play of a machine does not exceed ten 1143
dollars; 1144

(b) Redeemable vouchers awarded for any single play of a 1145
machine are not redeemable for a merchandise prize with a 1146
wholesale value of more than ten dollars; 1147

(c) Redeemable vouchers are not redeemable for a 1148
merchandise prize that has a wholesale value of more than ten 1149
dollars times the fewest number of single plays necessary to 1150
accrue the redeemable vouchers required to obtain that prize; 1151
and 1152

(d) Any redeemable vouchers or merchandise prizes are 1153
distributed at the site of the skill-based amusement machine at 1154
the time of play. 1155

A card for the purchase of gasoline is a redeemable 1156
voucher for purposes of division (UU)(1) of this section even if 1157
the skill-based amusement machine for the play of which the card 1158
is awarded is located at a place where gasoline may not be 1159
legally distributed to the public or the card is not redeemable 1160
at the location of, or at the time of playing, the skill-based 1161
amusement machine. 1162

(2) A device shall not be considered a skill-based 1163
amusement machine and shall be considered a slot machine if it 1164
pays cash or one or more of the following apply: 1165

(a) The ability of a player to succeed at the game is 1166
impacted by the number or ratio of prior wins to prior losses of 1167

players playing the game. 1168

(b) Any reward of redeemable vouchers is not based solely 1169
on the player achieving the object of the game or the player's 1170
score; 1171

(c) The outcome of the game, or the value of the 1172
redeemable voucher or merchandise prize awarded for winning the 1173
game, can be controlled by a source other than any player 1174
playing the game. 1175

(d) The success of any player is or may be determined by a 1176
chance event that cannot be altered by player actions. 1177

(e) The ability of any player to succeed at the game is 1178
determined by game features not visible or known to the player. 1179

(f) The ability of the player to succeed at the game is 1180
impacted by the exercise of a skill that no reasonable player 1181
could exercise. 1182

(3) All of the following apply to any machine that is 1183
operated as described in division (UU)(1) of this section: 1184

(a) As used in division (UU) of this section, "game" and 1185
"play" mean one event from the initial activation of the machine 1186
until the results of play are determined without payment of 1187
additional consideration. An individual utilizing a machine that 1188
involves a single game, play, contest, competition, or 1189
tournament may be awarded redeemable vouchers or merchandise 1190
prizes based on the results of play. 1191

(b) Advance play for a single game, play, contest, 1192
competition, or tournament participation may be purchased. The 1193
cost of the contest, competition, or tournament participation 1194
may be greater than a single noncontest, competition, or 1195

tournament play. 1196

(c) To the extent that the machine is used in a contest, 1197
competition, or tournament, that contest, competition, or 1198
tournament has a defined starting and ending date and is open to 1199
participants in competition for scoring and ranking results 1200
toward the awarding of redeemable vouchers or merchandise prizes 1201
that are stated prior to the start of the contest, competition, 1202
or tournament. 1203

(4) For purposes of division (UU) (1) of this section, the 1204
mere presence of a device, such as a pin-setting, ball- 1205
releasing, or scoring mechanism, that does not contribute to or 1206
affect the outcome of the play of the game does not make the 1207
device a skill-based amusement machine. 1208

(VV) "Merchandise prize" means any item of value, but 1209
shall not include any of the following: 1210

(1) Cash, gift cards, or any equivalent thereof; 1211

(2) Plays on games of chance, state lottery tickets, or 1212
~~bingo, or instant bingo;~~ 1213

(3) Firearms, tobacco, or alcoholic beverages; or 1214

(4) A redeemable voucher that is redeemable for any of the 1215
items listed in division (VV) (1), (2), or (3) of this section. 1216

(WW) "Redeemable voucher" means any ticket, token, coupon, 1217
receipt, or other noncash representation of value. 1218

(XX) "Pool not conducted for profit" means a scheme in 1219
which a participant gives a valuable consideration for a chance 1220
to win a prize and the total amount of consideration wagered is 1221
distributed to a participant or participants. 1222

(YY) "Sporting organization" means a hunting, fishing, or trapping organization, other than a college or high school fraternity or sorority, that is not organized for profit, that is affiliated with a state or national sporting organization, including but not limited to, the league of Ohio sportsmen, and that has been in continuous existence in this state for a period of three years.

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

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

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

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

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

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

(e) The device predetermines the prize results and stores those results for delivery at the time the sweepstakes entry

results are revealed.	1252
(f) The device utilizes software to create a game result.	1253
(g) The device reveals the prize incrementally, even though the device does not influence the awarding of the prize or the value of any prize awarded.	1254 1255 1256
(h) The device determines and associates the prize with an entry or entries at the time the sweepstakes is entered.	1257 1258
(2) As used in this division and in section 2915.02 of the Revised Code:	1259 1260
(a) "Enter" means the act by which a person becomes eligible to receive any prize offered in a sweepstakes.	1261 1262
(b) "Entry" means one event from the initial activation of the sweepstakes terminal device until all the sweepstakes prize results from that activation are revealed.	1263 1264 1265
(c) "Prize" means any gift, award, gratuity, good, service, credit, reward, or any other thing of value that may be transferred to a person, whether possession of the prize is actually transferred, or placed on an account or other record as evidence of the intent to transfer the prize.	1266 1267 1268 1269 1270
(d) "Sweepstakes terminal device facility" means any location in this state where a sweepstakes terminal device is provided to a sweepstakes participant, except as provided in division (G) of section 2915.02 of the Revised Code.	1271 1272 1273 1274
(BBB) "Sweepstakes" means any game, contest, advertising scheme or plan, or other promotion where consideration is not required for a person to enter to win or become eligible to receive any prize, the determination of which is based upon chance. "Sweepstakes" does not include bingo as authorized under	1275 1276 1277 1278 1279

this chapter, pari-mutuel wagering as authorized by Chapter 1280
3769. of the Revised Code, lotteries conducted by the state 1281
lottery commission as authorized by Chapter 3770. of the Revised 1282
Code, and casino gaming as authorized by Chapter 3772. of the 1283
Revised Code. 1284

(CCC) "Electronic instant bingo" means a form of bingo 1285
that consists of an electronic or digital representation of 1286
instant bingo in which a participant wins a prize if the 1287
participant's electronic instant bingo ticket contains a 1288
combination of numbers or symbols that was designated in advance 1289
as a winning combination, and to which all of the following 1290
apply: 1291

(1) Each deal has a predetermined, finite number of 1292
winning and losing tickets and a predetermined prize amount and 1293
deal structure, provided that there may be multiple winning 1294
combinations in each deal and multiple winning tickets. 1295

(2) Each electronic instant bingo ticket within a deal has 1296
a unique serial number that is not regenerated. 1297

(3) Each electronic instant bingo ticket within a deal is 1298
sold for the same price. 1299

(4) After a participant purchases an electronic instant 1300
bingo ticket, the combination of numbers or symbols on the 1301
ticket is revealed to the participant. 1302

(5) The reveal of numbers or symbols on the ticket may 1303
incorporate an entertainment or bonus theme, provided that the 1304
reveal does not include spinning reels that resemble a slot 1305
machine. 1306

(6) The reveal theme, if any, does not require additional 1307
consideration or award any prize other than any predetermined 1308

prize associated with the electronic instant bingo ticket. 1309

(DDD) "Electronic instant bingo system" means a 1310
mechanical, electronic, digital, or video device that is used to 1311
play electronic instant bingo and any associated equipment or 1312
software used to conduct, manage, monitor, or document any 1313
aspect of electronic instant bingo. 1314

Sec. 2915.08. (A) ~~(1) Annually~~ Except as otherwise 1315
permitted under section 2915.092 of the Revised Code, annually 1316
before the first day of January, a charitable organization that 1317
desires to conduct bingo, instant bingo at a bingo session, or 1318
instant bingo other than at a bingo session shall make out, upon 1319
a form to be furnished by the attorney general for that purpose, 1320
an application for a license apply to the attorney general for 1321
one or more of the following types of licenses to conduct bingo, 1322
as appropriate: 1323

(1) A type I license to conduct bingo as described in 1324
division (O) (1) of section 2915.01 of the Revised Code; 1325

(2) A type II license to conduct instant bingo, electronic 1326
instant bingo, or both at a bingo session, or; 1327

(3) A type III license to conduct instant bingo, 1328
electronic instant bingo, or both other than at a bingo session 1329
and deliver that, in accordance with sections 2915.093 to 1330
2915.095 or section 2915.13 of the Revised Code, as applicable. 1331

(B) The application to the attorney general together with 1332
shall be accompanied by a license fee as follows: 1333

(a) Except as otherwise provided in this division, for (1) 1334
If the charitable organization was not licensed to conduct bingo 1335
under this chapter before July 1, 2003, a fee established by the 1336
attorney general by rule adopted pursuant to section 111.15 of 1337

the Revised Code. 1338

(2) If the charitable organization was licensed to conduct 1339
bingo under this chapter before July 1, 2003, the following 1340
applicable fee: 1341

(a) For a type I license for ~~the a~~ charitable organization 1342
that wishes to conduct ~~of~~ bingo during twenty-six or more weeks 1343
in any calendar year, a license fee of two hundred dollars; 1344

(b) For a type II or type III license for ~~the a~~ charitable 1345
organization that previously has not been licensed under this 1346
chapter to conduct ~~of~~ instant bingo at a bingo session or 1347
electronic instant bingo other than at a bingo session for a 1348
charitable organization that previously has not been licensed 1349
under this chapter to conduct instant bingo at a bingo session 1350
or instant bingo other than at a bingo session and that wishes 1351
to conduct bingo during twenty-six or more weeks in any calendar 1352
year, a license fee of five hundred dollars, ~~and for any other;~~ 1353

(c) For a type II or type III license for a charitable 1354
organization that previously has been licensed under this 1355
chapter to conduct instant bingo or electronic instant bingo and 1356
that desires to conduct bingo during twenty-six or more weeks in 1357
any calendar year, a license fee that is based upon the gross 1358
profits received by the charitable organization from the 1359
operation of instant bingo ~~at a bingo session or~~ electronic 1360
instant bingo ~~other than at a bingo session,~~ during the one-year 1361
period ending on the thirty-first day of October of the year 1362
immediately preceding the year for which the license is sought, 1363
and that is one of the following: 1364

(i) Five hundred dollars, if the total is fifty thousand 1365
dollars or less; 1366

(ii) One thousand two hundred fifty dollars plus one- 1367
fourth per cent of the gross profit, if the total is more than 1368
fifty thousand dollars but less than two hundred fifty thousand 1369
one dollars; 1370

(iii) Two thousand two hundred fifty dollars plus one-half 1371
per cent of the gross profit, if the total is more than two 1372
hundred fifty thousand dollars but less than five hundred 1373
thousand one dollars; 1374

(iv) Three thousand five hundred dollars plus one per cent 1375
of the gross profit, if the total is more than five hundred 1376
thousand dollars but less than one million one dollars; 1377

(v) Five thousand dollars plus one per cent of the gross 1378
profit, if the total is one million one dollars or more. 1379

~~(e) A-(d) For a type I, type II, or type III license for a 1380
charitable organization that desires to conduct bingo during 1381
fewer than twenty-six weeks in any calendar year, a reduced 1382
license fee established by the attorney general by rule adopted 1383
pursuant to division (G) of this section 111.15 of the Revised 1384
Code. 1385~~

~~(d) For a license to conduct bingo for a charitable 1386
organization that prior to July 1, 2003, has not been licensed 1387
under this chapter to conduct bingo, instant bingo at a bingo 1388
session, or instant bingo other than at a bingo session, a 1389
license fee established by rule by the attorney general in 1390
accordance with division (H) of this section. 1391~~

~~(2)-(C) The application shall be in the form prescribed by 1392
the attorney general, shall be signed and sworn to by the 1393
applicant, and shall contain all of the following: 1394~~

~~(a)-(1) The name and post-office address of the applicant; 1395~~

~~(b)~~ (2) A statement that the applicant is a charitable organization and that it has been in continuous existence as a charitable organization in this state for two years immediately preceding the making of the application;

~~(e)~~ (3) The location at which the organization will conduct bingo, which location shall be within the county in which the principal place of business of the applicant is located, the days of the week and the times on each of those days when bingo will be conducted, whether the organization owns, leases, or subleases the premises, and a copy of the rental agreement if it leases or subleases the premises;

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

~~(e)~~ (5) A statement as to whether the applicant has ever had any previous application refused, whether it previously has had a license revoked or suspended, and the reason stated by the attorney general for the refusal, revocation, or suspension;

~~(f)~~ (6) A statement of the charitable purposes for which the net profit derived from bingo, ~~other than instant bingo,~~ described in division (O)(1) of section 2915.01 of the Revised Code will be used, ~~and or~~ a statement of how the net profit derived from instant bingo or electronic instant bingo will be distributed in accordance with section 2915.101 of the Revised Code, as applicable;

~~(g)~~ (7) Other necessary and reasonable information that 1426
the attorney general may require by rule adopted pursuant to 1427
section 111.15 of the Revised Code; 1428

~~(h)~~ (8) If the applicant is a charitable trust as defined 1429
in section 109.23 of the Revised Code, a statement as to whether 1430
it has registered with the attorney general pursuant to section 1431
109.26 of the Revised Code or filed annual reports pursuant to 1432
section 109.31 of the Revised Code, and, if it is not required 1433
to do either, the exemption in section 109.26 or 109.31 of the 1434
Revised Code that applies to it; 1435

~~(i)~~ (9) If the applicant is a charitable organization as 1436
defined in section 1716.01 of the Revised Code, a statement as 1437
to whether it has filed with the attorney general a registration 1438
statement pursuant to section 1716.02 of the Revised Code and a 1439
financial report pursuant to section 1716.04 of the Revised 1440
Code, and, if it is not required to do both, the exemption in 1441
section 1716.03 of the Revised Code that applies to it; 1442

~~(j)~~ (10) In the case of an applicant seeking to qualify as 1443
a youth athletic park organization, a statement issued by a 1444
board or body vested with authority under Chapter 755. of the 1445
Revised Code for the supervision and maintenance of recreation 1446
facilities in the territory in which the organization is 1447
located, certifying that the playing fields owned by the 1448
organization ~~were used for at least one hundred days during the~~ 1449
~~year in which the statement is issued, and were open for use to~~ 1450
all residents of that territory, regardless of race, color, 1451
creed, religion, sex, or national origin, for athletic 1452
activities by youth athletic organizations that do not 1453
discriminate on the basis of race, color, creed, religion, sex, 1454
or national origin, and that the fields were not used for any 1455

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

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

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

the applicant of any deficiencies, the attorney general shall 1487
have an additional sixty days to conduct an investigation and 1488
either grant, grant with limits, restrictions, or probationary 1489
conditions, or deny the application based on findings 1490
established and communicated in accordance with divisions ~~(B)~~ 1491
(F) and ~~(E)~~(I) of this section. As an option to granting, 1492
granting with limits, restrictions, or probationary conditions, 1493
or denying an initial license application, the attorney general 1494
may grant a temporary license and request additional time to 1495
conduct the investigation if the attorney general has cause to 1496
believe that additional time is necessary to complete the 1497
investigation and has notified the applicant in writing about 1498
the specific concerns raised during the investigation. 1499

~~(B)(1)~~(F)(1) The attorney general shall adopt rules to 1500
enforce sections 2915.01, 2915.02, and 2915.07 to ~~2915.13~~ 1501
2915.15 of the Revised Code to ensure that bingo ~~or instant~~ 1502
~~bingo~~ is conducted in accordance with those sections and to 1503
maintain proper control over the conduct of bingo ~~or instant~~ 1504
~~bingo~~. ~~The~~ Except as otherwise provided in this section, the 1505
~~rules, except rules adopted pursuant to divisions (A)(2)(g) and~~ 1506
~~(G) of this section,~~ shall be adopted pursuant to Chapter 119. 1507
of the Revised Code. The attorney general shall license 1508
charitable organizations to conduct bingo, ~~instant bingo at a~~ 1509
~~bingo session, or instant bingo other than at a bingo session~~ in 1510
conformance with this chapter and with the licensing provisions 1511
of Chapter 119. of the Revised Code. 1512

~~(2) The attorney general may refuse to grant a license to~~ 1513
~~any~~ If any of the following applies to an organization, or 1514
~~revoke or suspend the license of any organization, that does any~~ 1515
~~of the following or to which any of the following applies~~ the 1516
attorney general may refuse to grant a license to the 1517

organization, may revoke or suspend the organization's license, 1518
or may place limits, restrictions, or probationary conditions on 1519
the organization's license for a limited or indefinite period, 1520
as determined by the attorney general: 1521

(a) ~~Fails~~ The organization fails or has failed at any time 1522
to meet any requirement of section 109.26, 109.31, or 1716.02, 1523
or sections 2915.07 to ~~2915.11~~ 2915.15 of the Revised Code, or 1524
violates or has violated any provision of sections 2915.02 or 1525
2915.07 to 2915.13 of the Revised Code or any rule adopted by 1526
the attorney general pursuant to this ~~section,~~ chapter. 1527

(b) ~~Makes~~ The organization makes or has made an incorrect 1528
or false statement that is material to the granting of the 1529
license in an application filed ~~pursuant to division (A) of~~ 1530
under this section~~.~~ 1531

(c) ~~Submits~~ The organization submits or has submitted any 1532
incorrect or false information relating to an application if the 1533
information is material to the granting of the license~~.~~ 1534

(d) ~~Maintains~~ The organization maintains or has maintained 1535
any incorrect or false information that is material to the 1536
granting of the license in the records required to be kept 1537
pursuant to ~~divisions (A) and (C) of~~ section 2915.10 of the 1538
Revised Code, if applicable~~.~~ 1539

(e) The attorney general has good cause to believe that 1540
the organization will not conduct bingo, ~~instant bingo at a~~ 1541
~~bingo session, or instant bingo other than at a bingo session~~ in 1542
accordance with sections 2915.07 to ~~2915.13~~ 2915.15 of the 1543
Revised Code or with any rule adopted by the attorney general 1544
pursuant to this ~~section~~ chapter. 1545

(3) If the attorney general has good cause to believe that 1546

any director or officer of the organization has breached the 1547
director's or officer's fiduciary duty to, or committed theft or 1548
any other type of misconduct related to, the organization or any 1549
other charitable organization that has been issued a bingo 1550
license under this chapter, the attorney general may refuse to 1551
grant a license to the organization, may impose limits, 1552
restrictions, or probationary conditions on the license, or may 1553
revoke or suspend the organization's license for a period not to 1554
exceed five years. 1555

(4) The attorney general may impose a civil fine on an 1556
organization licensed or permitted under this chapter for 1557
failure to comply with any restrictions, limits, or probationary 1558
conditions on its license, and for failure to comply with this 1559
chapter or any rule adopted under this chapter, according to a 1560
schedule of fines that the attorney general shall adopt in 1561
accordance with Chapter 119. of the Revised Code. 1562

(5) For the purposes of division ~~(D)~~ ~~(F)~~ of this section, 1563
any action of an officer, trustee, agent, representative, or 1564
bingo game operator of an organization is an action of the 1565
organization. 1566

~~(C)~~ ~~(G)~~ The attorney general may grant licenses to 1567
charitable organizations that are branches, lodges, or chapters 1568
of national charitable organizations. 1569

~~(D)~~ ~~(H)~~ The attorney general shall send notice of any of 1570
the following actions in writing to the prosecuting attorney and 1571
sheriff of the county in which the charitable organization will 1572
conduct bingo, instant bingo at a bingo session, or instant 1573
bingo other than at a bingo session, as stated in its 1574
application for a license or amended license, is located and to 1575
any other law enforcement agency in that county that so 1576

requests, of all of the following: 1577

(1) The issuance of ~~the~~ a license under this section; 1578

(2) The issuance of ~~the~~ an amended license under this section; 1579
1580

(3) The rejection of an application for and refusal to 1581
grant a license under this section; 1582

(4) The revocation of any license previously issued under this section; 1583
1584

(5) The suspension of any license previously issued under this section; 1585
1586

(6) The placing of any limits, restrictions, or probationary conditions placed on a license issued under this section. 1587
1588
1589

~~(E)~~ (I) A license issued by the attorney general under this section shall set forth the information contained on the application of the charitable organization that the attorney general determines is relevant, including, but not limited to, the location at which the organization will conduct bingo, instant bingo at a bingo session, or instant bingo other than at a bingo session whether the license is a type I, type II, or type III license, and the days of the week and the times on each of those days when bingo will be conducted. If the attorney general refuses to grant, places limits, restrictions, or probationary conditions on, or revokes or suspends a license, the attorney general shall notify the applicant in writing and specifically identify the reason for the refusal, revocation, limit, restriction, probationary condition, or suspension in narrative form and, if applicable, by identifying the section of the Revised Code violated. The failure of the attorney general 1590
1591
1592
1593
1594
1595
1596
1597
1598
1599
1600
1601
1602
1603
1604
1605

to give the written notice of the reasons for the refusal, 1606
revocation, limit, restriction, probationary condition, or 1607
suspension or a mistake in the written notice does not affect 1608
the validity of the attorney general's refusal to grant, or the 1609
revocation or suspension of, or limit, restriction, or 1610
probationary condition on, a license. If the attorney general 1611
fails to give the written notice or if there is a mistake in the 1612
written notice, the applicant may bring an action to compel the 1613
attorney general to comply with this division or to correct the 1614
mistake, but the attorney general's order refusing to grant, or 1615
placing a limit, restriction, or probationary condition on, or 1616
revoking or suspending, a license shall not be enjoined during 1617
the pendency of the action. 1618

~~(F)~~ (J) A charitable organization that has been issued a 1619
license ~~pursuant to division (B) of~~ under this section but that 1620
cannot conduct bingo ~~or instant bingo~~ at the location, or on the 1621
day of the week or at the time, specified on the license due to 1622
circumstances that make it impractical to do so, or that desires 1623
to conduct instant bingo, electronic instant bingo, or both 1624
other than at a bingo session at additional locations not 1625
identified on the license, may apply in writing, together with 1626
an application fee of two hundred fifty dollars, to the attorney 1627
general, at least thirty days prior to a change in or addition 1628
of a location, day of the week, or time, and request an amended 1629
license. As applicable, the application shall describe the 1630
causes making it impractical for the organization to conduct 1631
bingo ~~or instant bingo~~ in conformity with its license and shall 1632
indicate the location, days of the week, and times on each of 1633
those days when it desires to conduct bingo ~~or instant bingo~~ 1634
and, as applicable, shall indicate the additional locations at 1635
which it desires to conduct instant bingo, electronic instant 1636

bingo, or both other than at a bingo session. Except as 1637
otherwise provided in this division, the attorney general shall 1638
issue the amended license in accordance with division ~~(E)~~(I) of 1639
this section, and the organization shall surrender its original 1640
license to the attorney general. The attorney general may refuse 1641
to grant an amended license according to the terms of division 1642
~~(B)~~(F) of this section. 1643

~~(G) The attorney general, by rule adopted pursuant to 1644
section 111.15 of the Revised Code, shall establish a schedule 1645
of reduced license fees for charitable organizations that desire 1646
to conduct bingo or instant bingo during fewer than twenty-six 1647
weeks in any calendar year. 1648~~

~~(H) The attorney general, by rule adopted pursuant to 1649
section 111.15 of the Revised Code, shall establish license fees 1650
for the conduct of bingo, instant bingo at a bingo session, or 1651
instant bingo other than at a bingo session for charitable 1652
organizations that prior to July 1, 2003, have not been licensed 1653
to conduct bingo, instant bingo at a bingo session, or instant 1654
bingo other than at a bingo session under this chapter. 1655~~

~~(I)~~(K) The attorney general may enter into a written 1656
contract with any other state agency to delegate to that state 1657
agency the powers prescribed to the attorney general under 1658
Chapter 2915. of the Revised Code. 1659

~~(J)~~(L) The attorney general, by rule adopted pursuant to 1660
section 111.15 of the Revised Code, may adopt rules to determine 1661
the requirements for a charitable organization that is exempt 1662
from federal income taxation under subsection 501(a) and 1663
described in subsection 501(c) (3) of the Internal Revenue Code 1664
to be in good standing in the state. 1665

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

(B) (1) The attorney general may issue a distributor
license to any person that meets the requirements of this
section. The application for the license shall be on a form
prescribed by the attorney general and be accompanied by the
annual fee prescribed by this section. The license is valid for
a period of one year, and the annual fee for the license is five
thousand dollars.

(2) Upon applying for or renewing a license under this
section, an applicant shall file with and have approved by the
attorney general a bond in which the applicant shall be the
principal obligor, in the sum of fifty thousand dollars, with
one or more sureties authorized to do business in this state.
The applicant shall maintain the bond in effect as long as the
license is valid; however, the liability of the surety under the
bond shall not exceed an all-time aggregate liability of fifty
thousand dollars. The bond, which may be in the form of a rider
to a larger blanket liability bond, shall run to the state and
to any person who may have a cause of action against the
principal obligor of the bond for any liability arising out of a
violation by the obligor of any provision of this chapter or any
rule adopted pursuant to this chapter.

(C) The attorney general may refuse to issue a distributor
license to any person to which any of the following applies, or
to any person that has an officer, partner, or other person who

has an ownership interest of ten per cent or more and to whom 1696
any of the following applies: 1697

(1) The person, officer, or partner has been convicted of 1698
a felony under the laws of this state, another state, or the 1699
United States. 1700

(2) The person, officer, or partner has been convicted of 1701
any gambling offense. 1702

(3) The person, officer, or partner has made an incorrect 1703
or false statement that is material to the granting of a license 1704
in an application submitted to the attorney general under this 1705
section or in a similar application submitted to a gambling 1706
licensing authority in another jurisdiction if the statement 1707
resulted in license revocation through administrative action in 1708
the other jurisdiction. 1709

(4) The person, officer, or partner has submitted any 1710
incorrect or false information relating to the application to 1711
the attorney general under this section, if the information is 1712
material to the granting of the license. 1713

(5) The person, officer, or partner has failed to correct 1714
any incorrect or false information that is material to the 1715
granting of the license in the records required to be maintained 1716
under division ~~(E)~~(F) of section 2915.10 of the Revised Code. 1717

(6) The person, officer, or partner has had a license 1718
related to gambling revoked or suspended under the laws of this 1719
state, another state, or the United States. 1720

(7) The attorney general has good cause to believe that a 1721
person, officer, or partner has committed a breach of fiduciary 1722
duty, theft, or other type of misconduct related to a charitable 1723
organization that has obtained a bingo license issued under this 1724

chapter. 1725

(D) The attorney general shall not issue a distributor 1726
license to any person that is involved in the conduct of bingo 1727
on behalf of a charitable organization or that is a lessor of 1728
premises used for the conduct of bingo. This division does not 1729
prohibit a distributor from advising charitable organizations on 1730
the use and benefit of specific bingo supplies or prohibit a 1731
distributor from advising a customer on operational methods to 1732
improve bingo profitability. 1733

(E) (1) No distributor shall sell, offer to sell, or 1734
otherwise provide or offer to provide bingo supplies to any 1735
person, or modify, convert, add to, or remove parts from bingo 1736
supplies to further their promotion or sale, for use in this 1737
state except to or for the use of a charitable organization that 1738
has been issued a license under section 2915.08 of the Revised 1739
Code or to another distributor that has been issued a license 1740
under this section. No distributor shall accept payment for the 1741
sale or other provision of bingo supplies other than by check or 1742
electronic fund transfer. 1743

(2) No distributor may donate, give, loan, lease, or 1744
otherwise provide any bingo supplies or equipment, or modify, 1745
convert, add to, or remove parts from bingo supplies to further 1746
their promotion or sale, to or for the use of a charitable 1747
organization for use in a bingo session conditioned on or in 1748
consideration for an exclusive right to provide bingo supplies 1749
to the charitable organization. A distributor may provide a 1750
licensed charitable organization with free samples of the 1751
distributor's products to be used as prizes or to be used for 1752
the purpose of sampling. 1753

(3) No distributor shall purchase bingo supplies for use 1754

in this state from any person except from a manufacturer issued 1755
a license under section 2915.082 of the Revised Code or from 1756
another distributor issued a license under this section. Subject 1757
to division (D) of section 2915.082 of the Revised Code, no 1758
distributor shall pay for purchased bingo supplies other than by 1759
check or electronic fund transfer. 1760

(4) No distributor shall participate in the conduct of 1761
bingo on behalf of a charitable organization or have any direct 1762
or indirect ownership interest in a premises used for the 1763
conduct of bingo. 1764

(5) No distributor shall knowingly solicit, offer, pay, or 1765
receive any kickback, bribe, or undocumented rebate, directly or 1766
indirectly, overtly or covertly, in cash or in kind, in return 1767
for providing bingo supplies to any person in this state. 1768

(F)(1) No distributor shall knowingly sell, offer to sell, 1769
or otherwise provide or offer to provide an electronic instant 1770
bingo system to any person for use in this state, or maintain, 1771
update, or repair an electronic instant bingo system, without 1772
first obtaining an electronic instant bingo distributor 1773
endorsement to the person's distributor license issued under 1774
this section. An applicant for a distributor license under this 1775
section may apply simultaneously for an electronic instant bingo 1776
distributor endorsement to that license. 1777

(2) An applicant for an electronic instant bingo 1778
distributor endorsement shall submit the application on a form 1779
prescribed by the attorney general and shall submit one complete 1780
set of fingerprints directly to the superintendent of the bureau 1781
of criminal identification and investigation for the purpose of 1782
conducting a criminal records check. The applicant shall provide 1783
the fingerprints using a method the superintendent prescribes 1784

pursuant to division (C) (2) of section 109.572 of the Revised 1785
Code and shall fill out the form the superintendent prescribes 1786
pursuant to division (C) (1) of that section. Upon receiving an 1787
application for an electronic instant bingo distributor 1788
endorsement, the attorney general shall request the 1789
superintendent, or a vendor approved by the bureau, to conduct a 1790
criminal records check based on the applicant's fingerprint 1791
impressions in accordance with division (A) (18) of that section. 1792
The applicant shall pay any fee required under division (C) (3) 1793
of that section. 1794

(3) The attorney general shall not issue an electronic 1795
instant bingo distributor endorsement to an applicant unless the 1796
attorney general has received the results of the criminal 1797
records check described in division (F) (2) of this section. The 1798
attorney general shall not issue an electronic instant bingo 1799
distributor endorsement to an applicant if the applicant, any 1800
officer or partner of the applicant, or any person who has an 1801
ownership interest of ten per cent or more in the applicant has 1802
violated any provision of this chapter or any rule adopted by 1803
the attorney general under this chapter or has violated any 1804
existing or former law or rule of this state, any other state, 1805
or the United States that is substantially equivalent to any 1806
provision of this chapter or any rule adopted by the attorney 1807
general under this chapter. 1808

(4) An electronic instant bingo distributor endorsement 1809
issued under this section shall be valid for the period of the 1810
underlying distributor license. 1811

(G) The attorney general may suspend, place limits, 1812
restrictions, or probationary conditions on, or revoke a 1813
distributor license or an electronic instant bingo distributor 1814

endorsement, for a limited or indefinite period of time at the 1815
attorney general's discretion, for any of the reasons for which 1816
the attorney general may refuse to issue ~~a distributor the~~ 1817
license specified in division (C) of this section or endorsement 1818
or if the distributor holding the license or endorsement 1819
violates any provision of this chapter or any rule adopted by 1820
the attorney general under this chapter. 1821

~~(G)~~ (H) The attorney general may adopt rules for the 1822
application, acceptance, denial, suspension, revocation, 1823
limitation, restriction, or condition of a distributor license 1824
or endorsement, and to enforce any other provisions of this 1825
section, in accordance with Chapter 119. of the Revised Code. 1826

(I) The attorney general may impose a civil fine on a 1827
distributor licensed or permitted under this chapter for failure 1828
to comply with any restrictions, limits, or probationary 1829
conditions on its license, or for failure to comply with this 1830
chapter or any rule adopted under this chapter, according to a 1831
schedule of fines that the attorney general shall adopt in 1832
accordance with Chapter 119. of the Revised Code. 1833

(J) Whoever violates division (A) ~~or, (E), or (F)~~ of this 1834
section is guilty of illegally operating as a distributor. 1835
Except as otherwise provided in this division, illegally 1836
operating as a distributor is a misdemeanor of the first degree. 1837
If the offender previously has been convicted of a violation of 1838
division (A) ~~or, (E), or (F)~~ of this section, illegally 1839
operating as a distributor is a felony of the fifth degree. 1840

Sec. 2915.082. (A) No manufacturer shall sell, offer to 1841
sell, or otherwise provide or offer to provide bingo supplies 1842
for use in this state without having obtained a license from the 1843
attorney general under this section. 1844

(B) (1) The attorney general may issue a manufacturer 1845
license to any person that meets the requirements of this 1846
section. The application for the license shall be on a form 1847
prescribed by the attorney general and be accompanied by the 1848
annual fee prescribed by this section. The license is valid for 1849
a period of one year, and the annual fee for the license is five 1850
thousand dollars. 1851

(2) Upon applying for or renewing a license under this 1852
section, an applicant shall file with and have approved by the 1853
attorney general a bond in which the applicant shall be the 1854
principal obligor, in the sum of fifty thousand dollars, with 1855
one or more sureties authorized to do business in this state. 1856
The applicant shall maintain the bond in effect as long as the 1857
license is valid; however, the liability of the surety under the 1858
bond shall not exceed an all-time aggregate liability of fifty 1859
thousand dollars. The bond, which may be in the form of a rider 1860
to a larger blanket liability bond, shall run to the state and 1861
to any person who may have a cause of action against the 1862
principal obligor of the bond for any liability arising out of a 1863
violation by the obligor of any provision of this chapter or any 1864
rule adopted pursuant to this chapter. 1865

(C) The attorney general may refuse to issue a 1866
manufacturer license to any person to which any of the following 1867
applies, or to any person that has an officer, partner, or other 1868
person who has an ownership interest of ten per cent or more and 1869
to whom any of the following applies: 1870

(1) The person, officer, or partner has been convicted of 1871
a felony under the laws of this state, another state, or the 1872
United States. 1873

(2) The person, officer, or partner has been convicted of 1874

any gambling offense. 1875

(3) The person, officer, or partner has made an incorrect 1876
or false statement that is material to the granting of a license 1877
in an application submitted to the attorney general under this 1878
section or in a similar application submitted to a gambling 1879
licensing authority in another jurisdiction if the statement 1880
resulted in license revocation through administrative action in 1881
the other jurisdiction. 1882

(4) The person, officer, or partner has submitted any 1883
incorrect or false information relating to the application to 1884
the attorney general under this section, if the information is 1885
material to the granting of the license. 1886

(5) The person, officer, or partner has failed to correct 1887
any incorrect or false information that is material to the 1888
granting of the license in the records required to be maintained 1889
under division ~~(F)~~(G) of section 2915.10 of the Revised Code. 1890

(6) The person, officer, or partner has had a license 1891
related to gambling revoked or suspended under the laws of this 1892
state, another state, or the United States. 1893

(7) The attorney general has good cause to believe that 1894
the person, officer, or partner has committed a breach of 1895
fiduciary duty, theft, or other type of misconduct, related to a 1896
charitable organization that has obtained a bingo license under 1897
this chapter. 1898

(D) (1) No manufacturer shall sell, offer to sell, or 1899
otherwise provide or offer to provide bingo supplies to any 1900
person for use in this state except to a distributor that has 1901
been issued a license under section 2915.081 of the Revised 1902
Code. No manufacturer shall accept payment for the sale of bingo 1903

supplies other than by check or electronic fund transfer. 1904

(2) No manufacturer shall knowingly solicit, offer, pay, 1905
or receive any kickback, bribe, or undocumented rebate, directly 1906
or indirectly, overtly or covertly, in cash or in kind, in 1907
return for providing bingo supplies to any person in this state. 1908

(E) (1) No manufacturer shall knowingly sell, offer to 1909
sell, or otherwise provide or offer to provide an electronic 1910
instant bingo system to any person for use in this state, or 1911
submit an electronic instant bingo system for testing and 1912
approval under section 2915.15 of the Revised Code, without 1913
first obtaining an electronic instant bingo manufacturer 1914
endorsement to the person's manufacturer license issued under 1915
this section. An applicant for a manufacturer license under this 1916
section may apply simultaneously for an electronic instant bingo 1917
manufacturer endorsement to that license. 1918

(2) A manufacturer licensed under this section may only 1919
sell, offer to sell, or otherwise provide or offer to provide 1920
electronic instant bingo systems that contain proprietary 1921
software owned by or licensed to the manufacturer. If the 1922
proprietary software is licensed to the manufacturer, the 1923
manufacturer shall provide a copy of the license along with the 1924
application for an endorsement under this section. 1925

(3) An applicant for an electronic instant bingo 1926
manufacturer endorsement shall submit the application on a form 1927
prescribed by the attorney general and shall submit one complete 1928
set of fingerprints directly to the superintendent of the bureau 1929
of criminal identification and investigation for the purpose of 1930
conducting a criminal records check. The applicant shall provide 1931
the fingerprints using a method the superintendent prescribes 1932
pursuant to division (C) (2) of section 109.572 of the Revised 1933

Code and shall fill out the form the superintendent prescribes 1934
pursuant to division (C) (1) of that section. Upon receiving an 1935
application for an electronic instant bingo manufacturer 1936
endorsement, the attorney general shall request the 1937
superintendent, or a vendor approved by the bureau, to conduct a 1938
criminal records check based on the applicant's fingerprint 1939
impressions in accordance with division (A) (18) of that section. 1940
The applicant shall pay any fee required under division (C) (3) 1941
of that section. 1942

(4) The attorney general shall not issue an electronic 1943
instant bingo manufacturer endorsement to an applicant unless 1944
the attorney general has received the results of the criminal 1945
records check described in division (E) (3) of this section. The 1946
attorney general shall not issue an electronic instant bingo 1947
manufacturer endorsement to an applicant if the applicant, any 1948
officer or partner of the applicant, or any person who has an 1949
ownership interest of ten per cent or more in the applicant has 1950
violated any existing or former law or rule of this state, any 1951
other state, or the United States that is substantially 1952
equivalent to any provision of this chapter or any rule adopted 1953
by the attorney general under this chapter. 1954

(F) (1) The attorney general may suspend, place limits, 1955
restrictions, or probationary conditions on, or revoke a 1956
manufacturer license or an electronic instant bingo manufacturer 1957
endorsement for a limited or indefinite period of time for any 1958
of the reasons for which the attorney general may refuse to 1959
issue a manufacturer the license specified in division (C) of 1960
this section or endorsement or if the manufacturer holding the 1961
license or endorsement violates any provision of this chapter or 1962
any rule adopted by the attorney general under this chapter. 1963

(2) The attorney general may perform an onsite inspection 1964
of a manufacturer of bingo supplies that is selling, offering to 1965
sell, or otherwise providing or offering to provide bingo 1966
supplies or that is applying for a license to sell, offer to 1967
sell, or otherwise provide or offer to provide bingo supplies in 1968
this state. 1969

~~(F)~~ (G) The attorney general may adopt rules for the 1970
application, acceptance, denial, suspension, revocation, 1971
limitation, restriction, or condition of a manufacturer license 1972
or endorsement described in this section, and to enforce any 1973
other provisions of this section, in accordance with Chapter 1974
119. of the Revised Code. 1975

(H) The attorney general may impose a civil fine on a 1976
manufacturer licensed or permitted under this chapter for 1977
failure to comply with any restrictions, limits, or probationary 1978
conditions on its license, and for failure to comply with this 1979
chapter or any rule adopted under this chapter, according to a 1980
schedule of fines that the attorney general shall adopt in 1981
accordance with Chapter 119. of the Revised Code. 1982

(I) Whoever violates division (A) ~~or, (D), or (E)~~ of this 1983
section is guilty of illegally operating as a manufacturer. 1984
Except as otherwise provided in this division, illegally 1985
operating as a manufacturer is a misdemeanor of the first 1986
degree. If the offender previously has been convicted of a 1987
violation of division (A) ~~or, (D), or (E)~~ of this section, 1988
illegally operating as a manufacturer is a felony of the fifth 1989
degree. 1990

Sec. 2915.09. (A) No charitable organization that conducts 1991
bingo shall fail to do any of the following: 1992

(1) Own all of the equipment used to conduct bingo or 1993
lease that equipment from a charitable organization that is 1994
licensed to conduct bingo, or from the landlord of a premises 1995
where bingo is conducted, for a rental rate that is not more 1996
than is customary and reasonable for that equipment; 1997

(2) Except as otherwise provided in division (A) (3) of 1998
this section, use all of the gross receipts from bingo for 1999
paying prizes, for reimbursement of expenses for or for renting 2000
premises in which to conduct a bingo session, for reimbursement 2001
of expenses for or for purchasing or leasing bingo supplies used 2002
in conducting bingo, for reimbursement of expenses for or for 2003
hiring security personnel, for reimbursement of expenses for or 2004
for advertising bingo, or for reimbursement of other expenses or 2005
for other expenses listed in division (GG) of section 2915.01 of 2006
the Revised Code, provided that the amount of the receipts so 2007
spent is not more than is customary and reasonable for a similar 2008
purchase, lease, hiring, advertising, or expense. If the 2009
building in which bingo is conducted is owned by the charitable 2010
organization conducting bingo and the bingo conducted includes a 2011
form of bingo described in division (O) (1) of section 2915.01 of 2012
the Revised Code, the charitable organization may deduct from 2013
the total amount of the gross receipts from each session a sum 2014
equal to the lesser of six hundred dollars or forty-five per 2015
cent of the gross receipts from the bingo described in that 2016
division as consideration for the use of the premises. 2017

(3) Use, or give, donate, or otherwise transfer, all of 2018
the net profit derived from bingo, ~~other than instant bingo,~~ 2019
described in division (O) (1) of section 2915.01 of the Revised 2020
Code for a charitable purpose listed in its license application 2021
and described in division (V) of section 2915.01 of the Revised 2022
Code, or distribute all of the net profit from the proceeds of 2023

the sale of instant bingo or electronic instant bingo as stated 2024
in its license application and in accordance with section 2025
2915.101 of the Revised Code, as applicable. 2026

(B) No charitable organization that conducts a bingo game 2027
described in division (O) (1) of section 2915.01 of the Revised 2028
Code shall fail to do any of the following: 2029

(1) Conduct the bingo game on premises that are owned by 2030
the charitable organization, on premises that are owned by 2031
another charitable organization and leased from that charitable 2032
organization for a rental rate not in excess of the lesser of 2033
six hundred dollars per bingo session or forty-five per cent of 2034
the gross receipts of the bingo session, on premises that are 2035
leased from a person other than a charitable organization for a 2036
rental rate that is not more than is customary and reasonable 2037
for premises that are similar in location, size, and quality but 2038
not in excess of four hundred fifty dollars per bingo session, 2039
or on premises that are owned by a person other than a 2040
charitable organization, that are leased from that person by 2041
another charitable organization, and that are subleased from 2042
that other charitable organization by the charitable 2043
organization for a rental rate not in excess of four hundred 2044
fifty dollars per bingo session. No charitable organization is 2045
required to pay property taxes or assessments on premises that 2046
the charitable organization leases from another person to 2047
conduct bingo sessions. If the charitable organization leases 2048
from a person other than a charitable organization the premises 2049
on which it conducts bingo sessions, the lessor of the premises 2050
shall provide the premises to the organization and shall not 2051
provide the organization with bingo game operators, security 2052
personnel, concessions or concession operators, bingo supplies, 2053
or any other type of service. A charitable organization shall 2054

not lease or sublease premises that it owns or leases to more than three other charitable organizations per calendar week for conducting bingo sessions on the premises. A person that is not a charitable organization shall not lease premises that it owns, leases, or otherwise is empowered to lease to more than three charitable organizations per calendar week for conducting bingo sessions on the premises. In no case shall more than nine bingo sessions be conducted on any premises in any calendar week.

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

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

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

(1) Pay any compensation to a bingo game operator for operating a bingo session that is conducted by the charitable organization or for preparing, selling, or serving food or beverages at the site of the bingo session, permit any auxiliary unit or society of the charitable organization to pay compensation to any bingo game operator who prepares, sells, or serves food or beverages at a bingo session conducted by the charitable organization, or permit any auxiliary unit or society of the charitable organization to prepare, sell, or serve food or beverages at a bingo session conducted by the charitable organization, if the auxiliary unit or society pays any compensation to the bingo game operators who prepare, sell, or serve the food or beverages;

(2) Pay consulting fees to any person for any services performed in relation to the bingo session;	2084 2085
(3) Pay concession fees to any person who provides refreshments to the participants in the bingo session;	2086 2087
(4) Except as otherwise provided in division (C) (4) of this section, conduct more than three bingo sessions in any seven-day period. A volunteer firefighter's organization or a volunteer rescue service organization that conducts not more than five bingo sessions in a calendar year may conduct more than three bingo sessions in a seven-day period after notifying the attorney general when it will conduct the sessions.	2088 2089 2090 2091 2092 2093 2094
(5) Pay out more than six thousand dollars in prizes for bingo games described in division (O) (1) of section 2915.01 of the Revised Code during any bingo session that is conducted by the charitable organization. "Prizes" does not include awards from the conduct of instant bingo.	2095 2096 2097 2098 2099
(6) Conduct a bingo session at any time during the eight-hour period between two a.m. and ten a.m., at any time during, or within ten hours of, a bingo game conducted for amusement only pursuant to section 2915.12 of the Revised Code, at any premises not specified on its license, or on any day of the week or during any time period not specified on its license. Division (A) (6) of this section does not prohibit the sale of instant bingo tickets beginning at nine a.m. for a bingo session that begins at ten a.m. If circumstances make it impractical for the charitable organization to conduct a bingo session at the premises, or on the day of the week or at the time, specified on its license, or if a charitable organization wants to conduct bingo sessions on a day of the week or at a time other than the day or time specified on its license, the charitable	2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113

organization may apply in writing to the attorney general for an 2114
amended license pursuant to division ~~(F)~~ (J) of section 2915.08 2115
of the Revised Code. A charitable organization may apply twice 2116
in each calendar year for an amended license to conduct bingo 2117
sessions on a day of the week or at a time other than the day or 2118
time specified on its license. If the amended license is 2119
granted, the organization may conduct bingo sessions at the 2120
premises, on the day of the week, and at the time specified on 2121
its amended license. 2122

(7) Permit any person whom the charitable organization 2123
knows, or should have known, is under the age of eighteen to 2124
work as a bingo game operator; 2125

(8) Permit any person whom the charitable organization 2126
knows, or should have known, has been convicted of a felony or 2127
gambling offense in any jurisdiction to be a bingo game 2128
operator; 2129

(9) Permit the lessor of the premises on which the bingo 2130
session is conducted, if the lessor is not a charitable 2131
organization, to provide the charitable organization with bingo 2132
game operators, security personnel, concessions, bingo supplies, 2133
or any other type of service; 2134

(10) Purchase or lease bingo supplies from any person 2135
except a distributor issued a license under section 2915.081 of 2136
the Revised Code; 2137

(11) (a) Use or permit the use of electronic bingo aids 2138
except under the following circumstances: 2139

(i) For any single participant, not more than ninety bingo 2140
faces can be played using an electronic bingo aid or aids. 2141

(ii) The charitable organization shall provide a 2142

participant using an electronic bingo aid with corresponding 2143
paper bingo cards or sheets. 2144

(iii) The total price of bingo faces played with an 2145
electronic bingo aid shall be equal to the total price of the 2146
same number of bingo faces played with a paper bingo card or 2147
sheet sold at the same bingo session but without an electronic 2148
bingo aid. 2149

(iv) An electronic bingo aid cannot be part of an 2150
electronic network other than a network that includes only bingo 2151
aids and devices that are located on the premises at which the 2152
bingo is being conducted or be interactive with any device not 2153
located on the premises at which the bingo is being conducted. 2154

(v) An electronic bingo aid cannot be used to participate 2155
in bingo that is conducted at a location other than the location 2156
at which the bingo session is conducted and at which the 2157
electronic bingo aid is used. 2158

(vi) An electronic bingo aid cannot be used to provide for 2159
the input of numbers and letters announced by a bingo caller 2160
other than the bingo caller who physically calls the numbers and 2161
letters at the location at which the bingo session is conducted 2162
and at which the electronic bingo aid is used. 2163

(b) The attorney general may adopt rules in accordance 2164
with Chapter 119. of the Revised Code that govern the use of 2165
electronic bingo aids. The rules may include a requirement that 2166
an electronic bingo aid be capable of being audited by the 2167
attorney general to verify the number of bingo cards or sheets 2168
played during each bingo session. 2169

(12) Permit any person the charitable organization knows, 2170
or should have known, to be under eighteen years of age to play 2171

bingo described in division (O) (1) of section 2915.01 of the Revised Code. 2172
2173

(D) (1) Except as otherwise provided in division (D) (3) of this section, no charitable organization shall provide to a bingo game operator, and no bingo game operator shall receive or accept, any commission, wage, salary, reward, tip, donation, gratuity, or other form of compensation, directly or indirectly, regardless of the source, for conducting bingo or providing other work or labor at the site of bingo during a bingo session. 2174
2175
2176
2177
2178
2179
2180

(2) Except as otherwise provided in division (D) (3) of this section, no charitable organization shall provide to a bingo game operator any commission, wage, salary, reward, tip, donation, gratuity, or other form of compensation, directly or indirectly, regardless of the source, for conducting instant bingo, electronic instant bingo, or both other than at a bingo session at the site of instant bingo, electronic instant bingo, or both other than at a bingo session. 2181
2182
2183
2184
2185
2186
2187
2188

(3) Nothing in division (D) of this section prohibits an employee of a fraternal organization, veteran's organization, or sporting organization from selling instant bingo tickets or cards to the organization's members or invited guests, as long as no portion of the employee's compensation is paid from any receipts of bingo. 2189
2190
2191
2192
2193
2194

(E) Notwithstanding division (B) (1) of this section, a charitable organization that, prior to December 6, 1977, has entered into written agreements for the lease of premises it owns to another charitable organization or other charitable organizations for the conducting of bingo sessions so that more than two bingo sessions are conducted per calendar week on the premises, and a person that is not a charitable organization and 2195
2196
2197
2198
2199
2200
2201

that, prior to December 6, 1977, has entered into written 2202
agreements for the lease of premises it owns to charitable 2203
organizations for the conducting of more than two bingo sessions 2204
per calendar week on the premises, may continue to lease the 2205
premises to those charitable organizations, provided that no 2206
more than four sessions are conducted per calendar week, that 2207
the lessor organization or person has notified the attorney 2208
general in writing of the organizations that will conduct the 2209
sessions and the days of the week and the times of the day on 2210
which the sessions will be conducted, that the initial lease 2211
entered into with each organization that will conduct the 2212
sessions was filed with the attorney general prior to December 2213
6, 1977, and that each organization that will conduct the 2214
sessions was issued a license to conduct bingo games by the 2215
attorney general prior to December 6, 1977. 2216

(F) This section does not prohibit a bingo licensed 2217
charitable organization or a game operator from giving any 2218
person an instant bingo ticket as a prize. 2219

(G) Whoever violates division (A) (2) of this section is 2220
guilty of illegally conducting a bingo game, a felony of the 2221
fourth degree. Except as otherwise provided in this division, 2222
whoever violates division (A) (1) or (3), (B) (1), (2), or (3), 2223
(C) (1) to ~~(12)~~ (11), or (D) of this section is guilty of a minor 2224
misdemeanor. If the offender previously has been convicted of a 2225
violation of division (A) (1) or (3), (B) (1), (2), or (3), (C) (1) 2226
to (11), or (D) of this section, a violation of division (A) (1) 2227
or (3), (B) (1), (2), or (3), (C), or (D) of this section is a 2228
misdemeanor of the first degree. Whoever violates division (C) 2229
(12) of this section is guilty of a misdemeanor of the first 2230
degree, or if the offender previously has been convicted of a 2231
violation of division (C) (12) of this section, a felony of the 2232

fourth degree.	2233
Sec. 2915.091. (A) No charitable organization that	2234
conducts instant bingo shall do any of the following:	2235
(1) Fail to comply with the requirements of divisions (A)	2236
(1), (2), and (3) of section 2915.09 of the Revised Code;	2237
(2) Conduct instant bingo unless either of the following	2238
applies:	2239
(a) That organization is, and has received from the	2240
internal revenue service a determination letter that is	2241
currently in effect stating that the organization is, exempt	2242
from federal income taxation under subsection 501(a), is	2243
described in subsection 501(c)(3) of the Internal Revenue Code,	2244
is a charitable organization as defined in section 2915.01 of	2245
the Revised Code, is in good standing in the state pursuant to	2246
section 2915.08 of the Revised Code, and is in compliance with	2247
Chapter 1716. of the Revised Code;	2248
(b) That organization is, and has received from the	2249
internal revenue service a determination letter that is	2250
currently in effect stating that the organization is, exempt	2251
from federal income taxation under subsection 501(a), is	2252
described in subsection 501(c)(7), 501(c)(8), 501(c)(10), or	2253
501(c)(19) or is a veteran's organization described in	2254
subsection 501(c)(4) of the Internal Revenue Code, and conducts	2255
instant bingo under section 2915.13 of the Revised Code.	2256
(3) Conduct instant bingo on any day, at any time, or at	2257
any premises not specified on the organization's license issued	2258
pursuant to section 2915.08 of the Revised Code;	2259
(4) Permit any person whom the organization knows or	2260
should have known has been convicted of a felony or gambling	2261

offense in any jurisdiction to be a bingo game operator in the	2262
conduct of instant bingo;	2263
(5) Purchase or lease supplies used to conduct instant	2264
bingo or punch board games from any person except a distributor	2265
licensed under section 2915.081 of the Revised Code;	2266
(6) Sell or provide any instant bingo ticket or card for a	2267
price different from the price printed on it by the manufacturer	2268
on either the instant bingo ticket or card or on the game flare;	2269
(7) Sell an instant bingo ticket or card to a person under	2270
eighteen years of age;	2271
(8) Fail to keep unsold instant bingo tickets or cards for	2272
less than three years;	2273
(9) Pay any compensation to a bingo game operator for	2274
conducting instant bingo that is conducted by the organization	2275
or for preparing, selling, or serving food or beverages at the	2276
site of the instant bingo game, permit any auxiliary unit or	2277
society of the organization to pay compensation to any bingo	2278
game operator who prepares, sells, or serves food or beverages	2279
at an instant bingo game conducted by the organization, or	2280
permit any auxiliary unit or society of the organization to	2281
prepare, sell, or serve food or beverages at an instant bingo	2282
game conducted by the organization, if the auxiliary unit or	2283
society pays any compensation to the bingo game operators who	2284
prepare, sell, or serve the food or beverages;	2285
(10) Pay fees to any person for any services performed in	2286
relation to an instant bingo game, except as provided in	2287
division (D) of section 2915.093 of the Revised Code;	2288
(11) Pay fees to any person who provides refreshments to	2289
the participants in an instant bingo game;	2290

(12) (a) Allow instant bingo tickets or cards to be sold to 2291
bingo game operators at a premises at which the organization 2292
sells instant bingo tickets or cards or to be sold to employees 2293
of a D permit holder who are working at a premises at which 2294
instant bingo tickets or cards are sold; 2295

(b) Division (A) (12) (a) of this section does not prohibit 2296
a licensed charitable organization or a bingo game operator from 2297
giving any person an instant bingo ticket as a prize in place of 2298
a cash prize won by a participant in an instant bingo game. In 2299
no case shall an instant bingo ticket or card be sold or 2300
provided for a price different from the price printed on it by 2301
the manufacturer on either the instant bingo ticket or card or 2302
on the game flare. 2303

(13) Fail to display its bingo license, and the serial 2304
numbers of the deal of instant bingo tickets or cards to be 2305
sold, conspicuously at each premises at which it sells instant 2306
bingo tickets or cards; 2307

(14) Possess a deal of instant bingo tickets or cards that 2308
was not purchased from a distributor licensed under section 2309
2915.081 of the Revised Code as reflected on an invoice issued 2310
by the distributor that contains all of the information required 2311
by division (E) of section 2915.10 of the Revised Code; 2312

(15) Fail, once it opens a deal of instant bingo tickets 2313
or cards, to continue to sell the tickets or cards in that deal 2314
until the tickets or cards with the top two highest tiers of 2315
prizes in that deal are sold; 2316

(16) Possess bingo supplies that were not obtained in 2317
accordance with ~~sections 2915.01 to 2915.13 of the Revised Code~~ 2318
this chapter. 2319

(B) A charitable organization may purchase, lease, or use 2320
instant bingo ticket dispensers to sell instant bingo tickets or 2321
cards. 2322

(C) The attorney general may adopt rules in accordance 2323
with Chapter 119. of the Revised Code that govern the conduct of 2324
instant bingo by charitable organizations. Before those rules 2325
are adopted, the attorney general shall reference the 2326
recommended standards for opacity, randomization, minimum 2327
information, winner protection, color, and cutting for instant 2328
bingo tickets or cards, seal cards, and punch boards established 2329
by the North American gaming regulators association. 2330

(D) Whoever violates division (A) of this section or a 2331
rule adopted under division (C) of this section is guilty of 2332
illegal instant bingo conduct. Except as otherwise provided in 2333
this division, illegal instant bingo conduct is a misdemeanor of 2334
the first degree. If the offender previously has been convicted 2335
of a violation of division (A) of this section or of such a 2336
rule, illegal instant bingo conduct is a felony of the fifth 2337
degree. 2338

Sec. 2915.093. (A) As used in this section, "retail income 2339
from all commercial activity" means the income that a person 2340
receives from the provision of goods, services, or activities 2341
that are provided at the location where instant bingo other than 2342
at a bingo session is conducted, including the sale of instant 2343
bingo tickets. A religious organization that is exempt from 2344
federal income taxation under subsection 501(a) and described in 2345
subsection 501(c) (3) of the Internal Revenue Code, at not more 2346
than one location at which it conducts its charitable programs, 2347
may include donations from its members and guests as retail 2348
income. 2349

(B) (1) If a charitable instant bingo organization conducts 2350
instant bingo other than at a bingo session under a type III 2351
license issued under section 2915.08 of the Revised Code, the 2352
charitable instant bingo organization shall enter into a written 2353
contract with the owner or lessor of the location at which the 2354
instant bingo is conducted to allow the owner or lessor to 2355
assist in the conduct of instant bingo other than at a bingo 2356
session, identify each location where the instant bingo other 2357
than at a bingo session is being conducted, and identify the 2358
owner or lessor of each location. 2359

(2) A charitable instant bingo organization that conducts 2360
instant bingo other than at a bingo session under a type III 2361
license issued under section 2915.08 of the Revised Code is not 2362
required to enter into a written contract with the owner or 2363
lessor of the location at which the instant bingo is conducted, 2364
provided that the owner or lessor is not assisting in the 2365
conduct of the instant bingo other than at a bingo session and 2366
provided that the conduct of the instant bingo other than at a 2367
bingo session at that location is not more than five days per 2368
calendar year and not more than ten hours per day. 2369

(C) Except as provided in division (F) of this section, no 2370
charitable instant bingo organization shall conduct instant 2371
bingo other than at a bingo session at a location where the 2372
primary source of retail income from all commercial activity at 2373
that location is the sale of instant bingo tickets. 2374

(D) The owner or lessor of a location that enters into a 2375
contract pursuant to division (B) of this section shall pay the 2376
full gross profit to the charitable instant bingo organization, 2377
in return for the deal of instant bingo tickets. The owner or 2378
lessor may retain the money that the owner or lessor receives 2379

for selling the instant bingo tickets, provided, however, that 2380
after the deal has been sold, the owner or lessor shall pay to 2381
the charitable instant bingo organization the value of any 2382
unredeemed instant bingo prizes remaining in the deal of instant 2383
bingo tickets. 2384

The charitable instant bingo organization shall pay six 2385
per cent of the total gross receipts of any deal of instant 2386
bingo tickets for the purpose of reimbursing the owner or lessor 2387
for expenses described in this division. 2388

As used in this division, "expenses" means those items 2389
provided for in divisions (GG) (4), (5), (6), (7), (8), (12), and 2390
(13) of section 2915.01 of the Revised Code and that percentage 2391
of the owner's or lessor's rent for the location where instant 2392
bingo is conducted. "Expenses," in the aggregate, shall not 2393
exceed six per cent of the total gross receipts of any deal of 2394
instant bingo tickets. 2395

As used in this division, "full gross profit" means the 2396
amount by which the total receipts of all instant bingo tickets, 2397
if the deal had been sold in full, exceeds the amount that would 2398
be paid out if all prizes were redeemed. 2399

(E) A charitable instant bingo organization shall provide 2400
the attorney general with all of the following information: 2401

(1) That the charitable instant bingo organization has 2402
terminated a contract entered into pursuant to division (B) of 2403
this section with an owner or lessor of a location; 2404

(2) That the charitable instant bingo organization has 2405
entered into a written contract pursuant to division (B) of this 2406
section with a new owner or lessor of a location; 2407

(3) That the charitable instant bingo organization is 2408

aware of conduct by the owner or lessor of a location at which 2409
instant bingo is conducted that is in violation of this chapter. 2410

(F) Division (C) of this section does not apply to a 2411
volunteer firefighter's organization that is exempt from federal 2412
income taxation under subsection 501(a) and described in 2413
subsection 501(c) (3) of the Internal Revenue Code, that conducts 2414
instant bingo other than at a bingo session on the premises 2415
where the organization conducts firefighter training, that has 2416
conducted instant bingo continuously for at least five years 2417
prior to July 1, 2003, and that, during each of those five 2418
years, had gross receipts of at least one million five hundred 2419
thousand dollars. 2420

Sec. 2915.095. The attorney general, by rule adopted 2421
pursuant to section 111.15 of the Revised Code, shall establish 2422
a standard contract to be used by a charitable instant bingo 2423
organization, a veteran's organization, ~~a~~ fraternal 2424
organization, or a sporting organization for the conduct of 2425
instant bingo, electronic instant bingo, or both other than at a 2426
bingo session under a type III license issued under section 2427
2915.08 of the Revised Code. The terms of the contract shall be 2428
limited to the provisions in Chapter 2915. of the Revised Code. 2429

Sec. 2915.10. (A) No charitable organization that conducts 2430
bingo or a game of chance pursuant to division (D) of section 2431
2915.02 of the Revised Code shall fail to maintain the following 2432
records for at least three years from the date on which the 2433
bingo or game of chance is conducted: 2434

(1) An itemized list of the gross receipts of each bingo 2435
session, each game of instant bingo by serial number, each 2436
electronic instant bingo game by serial number, each raffle, 2437
each punch board game, and each game of chance, and an itemized 2438

list of the gross profits of each game of instant bingo by 2439
serial number and each electronic instant bingo game by serial 2440
number; 2441

(2) An itemized list of all expenses, other than prizes, 2442
that are incurred in conducting bingo ~~or instant bingo~~, the name 2443
of each person to whom the expenses are paid, and a receipt for 2444
all of the expenses; 2445

(3) A list of all prizes awarded during each bingo 2446
session, each raffle, each punch board game, and each game of 2447
chance conducted by the charitable organization, the total 2448
prizes awarded from each game of instant bingo by serial number 2449
and each electronic instant bingo game by serial number, and the 2450
name, address, and social security number of all persons who are 2451
winners of prizes of six hundred dollars or more in value; 2452

(4) An itemized list of the recipients of the net profit 2453
of the bingo or game of chance, including the name and address 2454
of each recipient to whom the money is distributed, and if the 2455
organization uses the net profit of bingo, or the money or 2456
assets received from a game of chance, for any charitable or 2457
other purpose set forth in division (V) of section 2915.01, 2458
division (D) of section 2915.02, or section 2915.101 of the 2459
Revised Code, a list of each purpose and an itemized list of 2460
each expenditure for each purpose; 2461

(5) The number of persons who participate in any bingo 2462
session or game of chance that is conducted by the charitable 2463
organization; 2464

(6) A list of receipts from the sale of food and beverages 2465
by the charitable organization or one of its auxiliary units or 2466
societies, if the receipts were excluded from gross receipts 2467

under division (T) of section 2915.01 of the Revised Code; 2468

(7) An itemized list of all expenses incurred at each 2469
bingo session, each raffle, each punch board game, or each game 2470
of instant bingo or electronic instant bingo conducted by the 2471
charitable organization in the sale of food and beverages by the 2472
charitable organization or by an auxiliary unit or society of 2473
the charitable organization, the name of each person to whom the 2474
expenses are paid, and a receipt for all of the expenses. 2475

(B) A charitable organization shall keep the records that 2476
it is required to maintain pursuant to division (A) of this 2477
section at its principal place of business in this state or at 2478
its headquarters in this state and shall notify the attorney 2479
general of the location at which those records are kept. 2480

(C) The gross profit from each bingo session or game 2481
described in division (O) (1) or (2) of section 2915.01 of the 2482
Revised Code shall be deposited into a checking account devoted 2483
exclusively to the bingo session or game. Payments for allowable 2484
expenses incurred in conducting the bingo session or game and 2485
payments to recipients of some or all of the net profit of the 2486
bingo session or game shall be made only by checks or electronic 2487
fund transfers drawn on the bingo session or game account. 2488

(D) Each charitable organization shall conduct and record 2489
an inventory of all of its bingo supplies as of the first day of 2490
November of each year. 2491

(E) The attorney general may adopt rules in accordance 2492
with Chapter 119. of the Revised Code that establish standards 2493
of accounting, record keeping, and reporting to ensure that 2494
gross receipts from bingo or games of chance are properly 2495
accounted for. 2496

(F) A distributor shall maintain, for a period of three 2497
years after the date of its sale or other provision, a record of 2498
each instance of its selling or otherwise providing to another 2499
person bingo supplies for use in this state. The record shall 2500
include all of the following for each instance: 2501

(1) The name of the manufacturer from which the 2502
distributor purchased the bingo supplies and the date of the 2503
purchase; 2504

(2) The name and address of the charitable organization or 2505
other distributor to which the bingo supplies were sold or 2506
otherwise provided; 2507

(3) A description that clearly identifies the bingo 2508
supplies; 2509

(4) Invoices that include the nonrepeating serial numbers 2510
of all paper bingo cards and sheets and all instant bingo deals 2511
sold or otherwise provided to each charitable organization. 2512

(G) A manufacturer shall maintain, for a period of three 2513
years after the date of its sale or other provision, a record of 2514
each instance of its selling or otherwise providing bingo 2515
supplies for use in this state. The record shall include all of 2516
the following for each instance: 2517

(1) The name and address of the distributor to whom the 2518
bingo supplies were sold or otherwise provided; 2519

(2) A description that clearly identifies the bingo 2520
supplies, including serial numbers; 2521

(3) Invoices that include the nonrepeating serial numbers 2522
of all paper bingo cards and sheets and all instant bingo deals 2523
sold or otherwise provided to each distributor. 2524

- (H) The attorney general or any law enforcement agency may do all of the following:
- (1) Investigate any charitable organization, distributor, or manufacturer or any officer, agent, trustee, member, or employee of the organization, distributor, or manufacturer;
 - (2) Examine the accounts and records of the charitable organization, distributor, or manufacturer or of any officer, agent, trustee, member, or employee of the organization, distributor, or manufacturer;
 - (3) Conduct inspections, audits, and observations of bingo or games of chance;
 - (4) Conduct inspections of the premises where bingo or games of chance are conducted or where bingo supplies are manufactured or distributed;
 - (5) Take any other necessary and reasonable action to determine if a violation of any provision of ~~sections 2915.01 to 2915.13 of the Revised Code~~ this chapter has occurred and to determine whether section 2915.11 of the Revised Code has been complied with.
- If any law enforcement agency has reasonable grounds to believe that a charitable organization, distributor, or manufacturer or an officer, agent, trustee, member, or employee of the organization, distributor, or manufacturer has violated any provision of this chapter, the law enforcement agency may proceed by action in the proper court to enforce this chapter, provided that the law enforcement agency shall give written notice to the attorney general when commencing an action as described in this division.
- (I) No person shall destroy, alter, conceal, withhold, or

deny access to any accounts or records of a charitable 2554
organization, distributor, or manufacturer that have been 2555
requested for examination, or obstruct, impede, or interfere 2556
with any inspection, audit, or observation of bingo or a game of 2557
chance ~~or~~, of premises where bingo or a game of chance is 2558
conducted, or of premises where bingo supplies are manufactured 2559
or distributed, or refuse to comply with any reasonable request 2560
of, or obstruct, impede, or interfere with any other reasonable 2561
action undertaken by, the attorney general or a law enforcement 2562
agency pursuant to division (H) of this section. 2563

(J) Whoever violates division (A) or (I) of this section 2564
is guilty of a misdemeanor of the first degree. 2565

Sec. 2915.101. Except as otherwise provided by law, a 2566
charitable organization that conducts instant bingo or 2567
electronic instant bingo shall distribute the net profit from 2568
the proceeds of the sale of instant bingo or electronic instant 2569
bingo as follows: 2570

(A) (1) If a veteran's organization, a fraternal 2571
organization, or a sporting organization conducted the instant 2572
bingo or electronic instant bingo, the organization shall 2573
distribute the net profit from the proceeds of the sale of 2574
instant bingo or electronic instant bingo, as follows: 2575

(a) For the first two hundred fifty thousand dollars, or a 2576
greater amount prescribed by the attorney general to adjust for 2577
changes in prices as measured by the consumer price index as 2578
defined in section 325.18 of the Revised Code and other factors 2579
affecting the organization's expenses, as defined in division 2580
(GG) of section 2915.01 of the Revised Code, or less of net 2581
profit from the proceeds of the sale of instant bingo or 2582
electronic instant bingo generated in a calendar year: 2583

(i) At least twenty-five per cent shall be distributed to 2584
an organization described in division (V) (1) of section 2915.01 2585
of the Revised Code or to a department or agency of the federal 2586
government, the state, or any political subdivision. 2587

(ii) Not more than seventy-five per cent may be deducted 2588
and retained by the organization for reimbursement of or for the 2589
organization's expenses, as defined in division (GG) of section 2590
2915.01 of the Revised Code, in conducting the instant bingo or 2591
electronic instant bingo game. 2592

(b) For any net profit from the proceeds of the sale of 2593
instant bingo or electronic instant bingo of more than two 2594
hundred fifty thousand dollars or an adjusted amount generated 2595
in a calendar year: 2596

(i) A minimum of fifty per cent shall be distributed to an 2597
organization described in division (V) (1) of section 2915.01 of 2598
the Revised Code or to a department or agency of the federal 2599
government, the state, or any political subdivision. 2600

(ii) Five per cent may be distributed for the 2601
organization's own charitable purposes or to a community action 2602
agency. 2603

(iii) Forty-five per cent may be deducted and retained by 2604
the organization for reimbursement of or for the organization's 2605
expenses, as defined in division (GG) of section 2915.01 of the 2606
Revised Code, in conducting the instant bingo or electronic 2607
instant bingo game. 2608

(2) If a veteran's organization, a fraternal organization, 2609
or a sporting organization does not distribute the full 2610
percentages specified in divisions (A) (1) (a) and (b) of this 2611
section for the purposes specified in those divisions, the 2612

organization shall distribute the balance of the net profit from 2613
the proceeds of the sale of instant bingo or electronic instant 2614
bingo not distributed or retained for those purposes to an 2615
organization described in division (V) (1) of section 2915.01 of 2616
the Revised Code. 2617

(B) If a charitable organization other than a veteran's 2618
organization, a fraternal organization, or a sporting 2619
organization conducted the instant bingo or electronic instant 2620
bingo, the organization shall distribute one hundred per cent of 2621
the net profit from the proceeds of the sale of instant bingo or 2622
electronic instant bingo to an organization described in 2623
division (V) (1) of section 2915.01 of the Revised Code or to a 2624
department or agency of the federal government, the state, or 2625
any political subdivision. 2626

(C) Nothing in this section prohibits a veteran's 2627
organization, a fraternal organization, or a sporting 2628
organization from distributing any net profit from the proceeds 2629
of the sale of instant bingo or electronic instant bingo to an 2630
organization that is described in subsection 501(c) (3) of the 2631
Internal Revenue Code when the organization that is described in 2632
subsection 501(c) (3) of the Internal Revenue Code is one that 2633
makes donations to other organizations and permits donors to 2634
advise or direct such donations so long as the donations comply 2635
with requirements established in or pursuant to subsection 2636
501(c) (3) of the Internal Revenue Code. 2637

Sec. 2915.12. (A) Sections 2915.07 to ~~2915.11~~ 2915.15 of 2638
the Revised Code do not apply to bingo games that are conducted 2639
for the purpose of amusement only. A bingo game is conducted for 2640
the purpose of amusement only if it complies with all of the 2641
requirements specified in either division (A) (1) or (2) of this 2642

section: 2643

(1) (a) The participants do not pay any money or any other 2644
thing of value including an admission fee, or any fee for bingo 2645
cards or sheets, objects to cover the spaces, or other devices 2646
used in playing bingo, for the privilege of participating in the 2647
bingo game, or to defray any costs of the game, or pay tips or 2648
make donations during or immediately before or after the bingo 2649
game. 2650

(b) All prizes awarded during the course of the game are 2651
nonmonetary, and in the form of merchandise, goods, or 2652
entitlements to goods or services only, and the total value of 2653
all prizes awarded during the game is less than one hundred 2654
dollars. 2655

(c) No commission, wages, salary, reward, tip, donation, 2656
gratuity, or other form of compensation, either directly or 2657
indirectly, and regardless of the source, is paid to any bingo 2658
game operator for work or labor performed at the site of the 2659
bingo game. 2660

(d) The bingo game is not conducted either during or 2661
within ten hours of any of the following: 2662

(i) A bingo session during which a charitable bingo game 2663
is conducted pursuant to sections 2915.07 to ~~2915.11~~2915.15 of 2664
the Revised Code; 2665

(ii) A scheme or game of chance, or bingo described in 2666
division (0) (2) of section 2915.01 of the Revised Code. 2667

(e) The number of players participating in the bingo game 2668
does not exceed fifty. 2669

(2) (a) The participants do not pay money or any other 2670

thing of value as an admission fee, and no participant is 2671
charged more than twenty-five cents to purchase a bingo card or 2672
sheet, objects to cover the spaces, or other devices used in 2673
playing bingo. 2674

(b) The total amount of money paid by all of the 2675
participants for bingo cards or sheets, objects to cover the 2676
spaces, or other devices used in playing bingo does not exceed 2677
one hundred dollars. 2678

(c) All of the money paid for bingo cards or sheets, 2679
objects to cover spaces, or other devices used in playing bingo 2680
is used only to pay winners monetary and nonmonetary prizes and 2681
to provide refreshments. 2682

(d) The total value of all prizes awarded during the game 2683
does not exceed one hundred dollars. 2684

(e) No commission, wages, salary, reward, tip, donation, 2685
gratuity, or other form of compensation, either directly or 2686
indirectly, and regardless of the source, is paid to any bingo 2687
game operator for work or labor performed at the site of the 2688
bingo game. 2689

(f) The bingo game is not conducted during or within ten 2690
hours of either of the following: 2691

(i) A bingo session during which a charitable bingo game 2692
is conducted pursuant to sections 2915.07 to ~~2915.11~~ 2915.15 of 2693
the Revised Code; 2694

(ii) A scheme of chance or game of chance, or bingo 2695
described in division (O) (2) of section 2915.01 of the Revised 2696
Code. 2697

(g) All of the participants reside at the premises where 2698

the bingo game is conducted. 2699

(h) The bingo games are conducted on different days of the 2700
week and not more than twice in a calendar week. 2701

(B) The attorney general or any local law enforcement 2702
agency may investigate the conduct of a bingo game that 2703
purportedly is conducted for purposes of amusement only if there 2704
is reason to believe that the purported amusement bingo game 2705
does not comply with the requirements of either division (A) (1) 2706
or (2) of this section. A local law enforcement agency may 2707
proceed by action in the proper court to enforce this section if 2708
the local law enforcement agency gives written notice to the 2709
attorney general when commencing the action. 2710

Sec. 2915.13. (A) A veteran's organization, a fraternal 2711
organization, or a sporting organization authorized to conduct a 2712
bingo session pursuant to ~~sections 2915.01 to 2915.12 of the~~ 2713
Revised Code this chapter may conduct instant bingo, electronic 2714
instant bingo, or both other than at a bingo session under a 2715
type III license issued under section 2915.08 of the Revised 2716
Code if all of the following apply: 2717

(1) The veteran's organization, fraternal organization, or 2718
sporting organization limits the sale of instant bingo or 2719
electronic instant bingo to twelve hours during any day, 2720
provided that the sale does not begin earlier than ten a.m. and 2721
ends not later than two a.m. 2722

(2) The veteran's organization, fraternal organization, or 2723
sporting organization limits the sale of instant bingo or 2724
electronic instant bingo to its own premises and to its own 2725
members and invited guests. 2726

(3) The veteran's organization, fraternal organization, or 2727

sporting organization is raising money for an organization that 2728
is described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 2729
the Internal Revenue Code and is either a governmental unit or 2730
an organization that maintains its principal place of business 2731
in this state, that is exempt from federal income taxation under 2732
subsection 501(a) and described in subsection 501(c) (3) of the 2733
Internal Revenue Code, and that is in good standing in this 2734
state and executes a written contract with that organization as 2735
required in division (B) of this section. 2736

(B) If a veteran's organization, fraternal organization, 2737
or sporting organization authorized to conduct instant bingo or 2738
electronic instant bingo pursuant to division (A) of this 2739
section is raising money for another organization that is 2740
described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 2741
the Internal Revenue Code and is either a governmental unit or 2742
an organization that maintains its principal place of business 2743
in this state, that is exempt from federal income taxation under 2744
subsection 501(a) and described in subsection 501(c) (3) of the 2745
Internal Revenue Code, and that is in good standing in this 2746
state, the veteran's organization, fraternal organization, or 2747
sporting organization shall execute a written contract with the 2748
organization that is described in subsection 509(a) (1), 509(a) 2749
(2), or 509(a) (3) of the Internal Revenue Code and is either a 2750
governmental unit or an organization that maintains its 2751
principal place of business in this state, that is exempt from 2752
federal income taxation under subsection 501(a) and described in 2753
subsection 501(c) (3) of the Internal Revenue Code, and that is 2754
in good standing in this state in order to conduct instant bingo 2755
or electronic instant bingo. That contract shall include a 2756
statement of the percentage of the net proceeds that the 2757
veteran's, fraternal, or sporting organization will be 2758

distributing to the organization that is described in subsection 2759
509(a) (1), 509(a) (2), or 509(a) (3) of the Internal Revenue Code 2760
and is either a governmental unit or an organization that 2761
maintains its principal place of business in this state, that is 2762
exempt from federal income taxation under subsection 501(a) and 2763
described in subsection 501(c) (3) of the Internal Revenue Code, 2764
and that is in good standing in this state. 2765

(C) (1) If a veteran's organization, fraternal 2766
organization, or sporting organization authorized to conduct 2767
instant bingo or electronic instant bingo pursuant to division 2768
(A) of this section has been issued a liquor permit under 2769
Chapter 4303. of the Revised Code, that permit may be subject to 2770
suspension, revocation, or cancellation if the veteran's 2771
organization, fraternal organization, or sporting organization 2772
violates a provision of this chapter. 2773

(2) No veteran's organization, fraternal organization, or 2774
sporting organization that enters into a written contract 2775
pursuant to division (B) of this section shall violate any 2776
provision of this chapter or permit, aid, or abet any other 2777
person in violating any provision of this chapter. 2778

(D) A veteran's organization, fraternal organization, or 2779
sporting organization shall give all required proceeds earned 2780
from the conduct of instant bingo or electronic instant bingo to 2781
the organization with which the veteran's organization, 2782
fraternal organization, or sporting organization has entered 2783
into a written contract. 2784

(E) Whoever violates this section is guilty of illegal 2785
instant bingo or electronic instant bingo conduct. Except as 2786
otherwise provided in this division, illegal instant bingo or 2787
electronic instant bingo conduct is a misdemeanor of the first 2788

degree. If the offender previously has been convicted of a 2789
violation of this section, illegal instant bingo or electronic 2790
instant bingo conduct is a felony of the fifth degree. 2791

Sec. 2915.14. (A) No charitable organization that conducts 2792
electronic instant bingo shall do any of the following: 2793

(1) Conduct electronic instant bingo unless that 2794
organization is a veteran's organization described in division 2795
(J) of section 2915.01 of the Revised Code or is a fraternal 2796
organization described in division (L) of section 2915.01 of the 2797
Revised Code, and is, and has received from the internal revenue 2798
service a determination letter that is currently in effect 2799
stating that the organization is, exempt from federal income 2800
taxation under subsection 501(a), and is described in subsection 2801
501(c) (7), 501(c) (8), 501(c) (10), or 501(c) (19) or is a 2802
veteran's organization described in subsection 501(c) (4) of the 2803
Internal Revenue Code, and conducts instant bingo under section 2804
2915.13 of the Revised Code; 2805

(2) Possess an electronic instant bingo system that was 2806
not obtained in accordance with this chapter or with any rule 2807
adopted under this chapter; 2808

(3) Conduct electronic instant bingo on any day, at any 2809
time, or on any premises not specified on the organization's 2810
type II or type III license issued under section 2915.08 of the 2811
Revised Code; 2812

(4) Fail to display both of the following conspicuously at 2813
each premises in which the charitable organization conducts 2814
electronic instant bingo: 2815

(a) The charitable organization's bingo license; 2816

(b) The serial number of each deal of electronic instant 2817

bingo tickets being sold. 2818

(5) Permit any person the charitable organization knows, 2819
or should have known, to be under eighteen years of age to play 2820
electronic instant bingo; 2821

(6) Sell or provide to any person an electronic instant 2822
bingo ticket for a price different from the price displayed on 2823
the game flare for that deal, except that the charitable 2824
organization may give a participant who wins an electronic 2825
instant bingo game an electronic instant bingo ticket as a prize 2826
in place of a cash prize; 2827

(7) Fail, once an electronic instant bingo deal is begun, 2828
to continue to sell tickets in that deal until all prizes have 2829
been awarded; 2830

(8) Permit any person whom the organization knows, or 2831
should have known, has been convicted of a felony or gambling 2832
offense in any jurisdiction to be a bingo game operator in the 2833
conduct of electronic instant bingo; 2834

(9) Permit a bingo game operator to play electronic 2835
instant bingo; 2836

(10) (a) Except as otherwise provided in division (A) (10) 2837
(b) of this section, pay compensation to a bingo game operator 2838
for conducting electronic instant bingo. 2839

(b) Division (A) (10) (a) of this section does not prohibit 2840
an employee of a veteran's organization, fraternal organization, 2841
or sporting organization from redeeming electronic instant bingo 2842
tickets or vouchers for the organization's members or invited 2843
guests, so long as no portion of the employee's compensation is 2844
paid from any bingo receipts. 2845

<u>(11) Pay consulting fees to any person in relation to</u>	2846
<u>electronic instant bingo.</u>	2847
<u>(B) No person shall sell, offer to sell, or otherwise</u>	2848
<u>provide or offer to provide an electronic instant bingo system</u>	2849
<u>to any person for use in this state unless the electronic</u>	2850
<u>instant bingo system has been approved under section 2915.15 of</u>	2851
<u>the Revised Code.</u>	2852
<u>(C) The attorney general shall adopt rules under Chapter</u>	2853
<u>119. of the Revised Code to ensure the integrity of electronic</u>	2854
<u>instant bingo, including, but not limited to, rules governing</u>	2855
<u>all of the following:</u>	2856
<u>(1) The requirements to receive a license to conduct</u>	2857
<u>electronic instant bingo;</u>	2858
<u>(2) The location and number of electronic instant bingo</u>	2859
<u>systems in use;</u>	2860
<u>(3) The times when electronic instant bingo may be</u>	2861
<u>offered;</u>	2862
<u>(4) Signage requirements in facilities where electronic</u>	2863
<u>instant bingo is offered;</u>	2864
<u>(5) Electronic instant bingo device and system</u>	2865
<u>specifications, including reveal features and game themes;</u>	2866
<u>(6)</u>	2867
<u>Procedures and standards for the review, approval,</u>	2868
<u>inspection, and monitoring of electronic instant bingo systems,</u>	2869
<u>as described in section 2915.15 of the Revised Code;</u>	2870
<u>(7) Procedures and standards for the review and approval</u>	2871
<u>of any changes to technology, systems, or games licensed or</u>	2872

permitted under this chapter; 2873

(8) The fees to be charged under section 2915.15 of the 2874
Revised Code for review, approval, inspection, and monitoring of 2875
electronic instant bingo systems; 2876

(9) Procedures allowing the attorney general to seek a 2877
summary suspension of a license to conduct electronic instant 2878
bingo or a license to manufacture or distribute electronic 2879
instant bingo systems if the attorney general has good cause to 2880
believe that the person or organization licensed to conduct 2881
electronic instant bingo, or the person or organization licensed 2882
to manufacture or distribute electronic instant bingo systems, 2883
or any of the organization's employees, officers, directors, 2884
agents, representatives, or partners, has violated this chapter 2885
or a rule adopted under this chapter. 2886

(D) Whoever knowingly violates division (A) or (B) of this 2887
section or a rule adopted under division (C) of this section is 2888
guilty of illegal electronic instant bingo conduct. Illegal 2889
electronic instant bingo conduct is a misdemeanor of the first 2890
degree, except that if the offender previously has been 2891
convicted of a violation of division (A) of this section or of a 2892
rule adopted under division (C) of this section, illegal instant 2893
bingo conduct is a felony of the fifth degree. 2894

Sec. 2915.15. (A) (1) Before selling, offering to sell, or 2895
otherwise providing or offering to provide an electronic instant 2896
bingo system to any person for use in this state, a manufacturer 2897
shall submit the electronic instant bingo system to an 2898
independent testing laboratory, that is licensed by the state 2899
lottery commission under section 3770.02 of the Revised Code or 2900
that is certified under section 3772.31 of the Revised Code, for 2901
testing and evaluation to determine whether the electronic 2902

instant bingo system meets the requirements of this chapter and 2903
of rules adopted under this chapter. The manufacturer shall pay 2904
all costs of that testing and evaluation. 2905

(2) If the independent testing laboratory certifies that 2906
the electronic instant bingo system meets the requirements of 2907
this chapter and of rules adopted under this chapter, the 2908
manufacturer may submit the electronic instant bingo system, 2909
along with a copy of the laboratory's certification and a fee 2910
established by the attorney general by rule under Chapter 119. 2911
of the Revised Code, to the attorney general for review and 2912
approval. The manufacturer also shall submit a fee established 2913
by the attorney general by rule under Chapter 119. of the 2914
Revised Code, which the attorney general shall use to pay the 2915
cost of reviewing and approving electronic instant bingo systems 2916
under division (A) of this section. 2917

(3) If the attorney general determines that the electronic 2918
instant bingo system meets the requirements of this chapter and 2919
of the rules adopted under this chapter, the attorney general 2920
shall approve the system for use in this state. 2921

(B) Any electronic instant bingo system approved for use 2922
in this state shall include an internal report management system 2923
that records information concerning the operation of the system 2924
and that meets the requirements adopted by the attorney general 2925
by rule under Chapter 119. of the Revised Code. The internal 2926
report management system shall permit the attorney general or 2927
another person designated by the attorney general to access the 2928
internal report management system, monitor the electronic 2929
instant bingo system in real time, and remotely deactivate the 2930
electronic instant bingo system or any aspect of the system. 2931

(C) The attorney general may inspect any electronic 2932

instant bingo system in use in this state at any time to ensure 2933
that the system is in compliance with this chapter and with the 2934
rules adopted under this chapter. If the attorney general 2935
determines that any person or any electronic instant bingo 2936
system is in violation of any provision of this chapter or of 2937
any rule adopted under this chapter, the attorney general may 2938
order that the violation immediately cease and may deactivate 2939
the electronic instant bingo system or any aspect of it. 2940

(D) The attorney general may establish by rule adopted 2941
under Chapter 119. of the Revised Code an annual fee to be paid 2942
by distributors licensed under section 2915.081 of the Revised 2943
Code who have electronic instant bingo distributor endorsements 2944
to their licenses in order to pay the cost of monitoring the 2945
systems under division (B) of this section and the cost of 2946
inspecting systems under division (C) of this section. 2947

Section 2. That existing sections 109.32, 109.572, 2948
2915.01, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2949
2915.093, 2915.095, 2915.10, 2915.101, 2915.12, and 2915.13 of 2950
the Revised Code are hereby repealed. 2951

Section 3. That the version of section 109.572 of the 2952
Revised Code that is scheduled to take effect October 9, 2021, 2953
be amended to read as follows: 2954

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 2955
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 2956
Code, a completed form prescribed pursuant to division (C) (1) of 2957
this section, and a set of fingerprint impressions obtained in 2958
the manner described in division (C) (2) of this section, the 2959
superintendent of the bureau of criminal identification and 2960
investigation shall conduct a criminal records check in the 2961
manner described in division (B) of this section to determine 2962

whether any information exists that indicates that the person 2963
who is the subject of the request previously has been convicted 2964
of or pleaded guilty to any of the following: 2965

(a) A violation of section 2903.01, 2903.02, 2903.03, 2966
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2967
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2968
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2969
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2970
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2971
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2972
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 2973
sexual penetration in violation of former section 2907.12 of the 2974
Revised Code, a violation of section 2905.04 of the Revised Code 2975
as it existed prior to July 1, 1996, a violation of section 2976
2919.23 of the Revised Code that would have been a violation of 2977
section 2905.04 of the Revised Code as it existed prior to July 2978
1, 1996, had the violation been committed prior to that date, or 2979
a violation of section 2925.11 of the Revised Code that is not a 2980
minor drug possession offense; 2981

(b) A violation of an existing or former law of this 2982
state, any other state, or the United States that is 2983
substantially equivalent to any of the offenses listed in 2984
division (A)(1)(a) of this section; 2985

(c) If the request is made pursuant to section 3319.39 of 2986
the Revised Code for an applicant who is a teacher, any offense 2987
specified under section 9.79 of the Revised Code or in section 2988
3319.31 of the Revised Code. 2989

(2) On receipt of a request pursuant to section 3712.09 or 2990
3721.121 of the Revised Code, a completed form prescribed 2991
pursuant to division (C)(1) of this section, and a set of 2992

fingerprint impressions obtained in the manner described in 2993
division (C) (2) of this section, the superintendent of the 2994
bureau of criminal identification and investigation shall 2995
conduct a criminal records check with respect to any person who 2996
has applied for employment in a position for which a criminal 2997
records check is required by those sections. The superintendent 2998
shall conduct the criminal records check in the manner described 2999
in division (B) of this section to determine whether any 3000
information exists that indicates that the person who is the 3001
subject of the request previously has been convicted of or 3002
pleaded guilty to any of the following: 3003

(a) A violation of section 2903.01, 2903.02, 2903.03, 3004
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 3005
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 3006
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 3007
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 3008
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 3009
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 3010
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 3011
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 3012

(b) An existing or former law of this state, any other 3013
state, or the United States that is substantially equivalent to 3014
any of the offenses listed in division (A) (2) (a) of this 3015
section. 3016

(3) On receipt of a request pursuant to section 173.27, 3017
173.38, 173.381, 3701.881, 5119.34, 5164.34, 5164.341, 5164.342, 3018
or 5123.081 of the Revised Code, a completed form prescribed 3019
pursuant to division (C) (1) of this section, and a set of 3020
fingerprint impressions obtained in the manner described in 3021
division (C) (2) of this section, the superintendent of the 3022

bureau of criminal identification and investigation shall 3023
conduct a criminal records check of the person for whom the 3024
request is made. The superintendent shall conduct the criminal 3025
records check in the manner described in division (B) of this 3026
section to determine whether any information exists that 3027
indicates that the person who is the subject of the request 3028
previously has been convicted of, has pleaded guilty to, or 3029
(except in the case of a request pursuant to section 5164.34, 3030
5164.341, or 5164.342 of the Revised Code) has been found 3031
eligible for intervention in lieu of conviction for any of the 3032
following, regardless of the date of the conviction, the date of 3033
entry of the guilty plea, or (except in the case of a request 3034
pursuant to section 5164.34, 5164.341, or 5164.342 of the 3035
Revised Code) the date the person was found eligible for 3036
intervention in lieu of conviction: 3037

(a) A violation of section 959.13, 959.131, 2903.01, 3038
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 3039
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 3040
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 3041
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 3042
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 3043
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 3044
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 3045
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 3046
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 3047
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 3048
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 3049
2919.121, 2919.123, 2919.124, 2919.22, 2919.23, 2919.24, 3050
2919.25, 2921.03, 2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 3051
2921.32, 2921.321, 2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 3052
2923.122, 2923.123, 2923.13, 2923.161, 2923.162, 2923.21, 3053

2923.32, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 3054
2925.06, 2925.09, 2925.11, 2925.13, 2925.14, 2925.141, 2925.22, 3055
2925.23, 2925.24, 2925.36, 2925.55, 2925.56, 2927.12, or 3716.11 3056
of the Revised Code; 3057

(b) Felonious sexual penetration in violation of former 3058
section 2907.12 of the Revised Code; 3059

(c) A violation of section 2905.04 of the Revised Code as 3060
it existed prior to July 1, 1996; 3061

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 3062
the Revised Code when the underlying offense that is the object 3063
of the conspiracy, attempt, or complicity is one of the offenses 3064
listed in divisions (A) (3) (a) to (c) of this section; 3065

(e) A violation of an existing or former municipal 3066
ordinance or law of this state, any other state, or the United 3067
States that is substantially equivalent to any of the offenses 3068
listed in divisions (A) (3) (a) to (d) of this section. 3069

(4) On receipt of a request pursuant to section 2151.86 or 3070
2151.904 of the Revised Code, a completed form prescribed 3071
pursuant to division (C) (1) of this section, and a set of 3072
fingerprint impressions obtained in the manner described in 3073
division (C) (2) of this section, the superintendent of the 3074
bureau of criminal identification and investigation shall 3075
conduct a criminal records check in the manner described in 3076
division (B) of this section to determine whether any 3077
information exists that indicates that the person who is the 3078
subject of the request previously has been convicted of or 3079
pleaded guilty to any of the following: 3080

(a) A violation of section 959.13, 2903.01, 2903.02, 3081
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 3082

2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 3083
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 3084
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 3085
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 3086
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 3087
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 3088
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 3089
2927.12, or 3716.11 of the Revised Code, a violation of section 3090
2905.04 of the Revised Code as it existed prior to July 1, 1996, 3091
a violation of section 2919.23 of the Revised Code that would 3092
have been a violation of section 2905.04 of the Revised Code as 3093
it existed prior to July 1, 1996, had the violation been 3094
committed prior to that date, a violation of section 2925.11 of 3095
the Revised Code that is not a minor drug possession offense, 3096
two or more OVI or OVUAC violations committed within the three 3097
years immediately preceding the submission of the application or 3098
petition that is the basis of the request, or felonious sexual 3099
penetration in violation of former section 2907.12 of the 3100
Revised Code; 3101

(b) A violation of an existing or former law of this 3102
state, any other state, or the United States that is 3103
substantially equivalent to any of the offenses listed in 3104
division (A) (4) (a) of this section. 3105

(5) Upon receipt of a request pursuant to section 5104.013 3106
of the Revised Code, a completed form prescribed pursuant to 3107
division (C) (1) of this section, and a set of fingerprint 3108
impressions obtained in the manner described in division (C) (2) 3109
of this section, the superintendent of the bureau of criminal 3110
identification and investigation shall conduct a criminal 3111
records check in the manner described in division (B) of this 3112
section to determine whether any information exists that 3113

indicates that the person who is the subject of the request has 3114
been convicted of or pleaded guilty to any of the following: 3115

(a) A violation of section 2151.421, 2903.01, 2903.02, 3116
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 3117
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 3118
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 3119
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 3120
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 3121
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 3122
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 3123
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 3124
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 3125
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 3126
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 3127
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 3128
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3129
3716.11 of the Revised Code, felonious sexual penetration in 3130
violation of former section 2907.12 of the Revised Code, a 3131
violation of section 2905.04 of the Revised Code as it existed 3132
prior to July 1, 1996, a violation of section 2919.23 of the 3133
Revised Code that would have been a violation of section 2905.04 3134
of the Revised Code as it existed prior to July 1, 1996, had the 3135
violation been committed prior to that date, a violation of 3136
section 2925.11 of the Revised Code that is not a minor drug 3137
possession offense, a violation of section 2923.02 or 2923.03 of 3138
the Revised Code that relates to a crime specified in this 3139
division, or a second violation of section 4511.19 of the 3140
Revised Code within five years of the date of application for 3141
licensure or certification. 3142

(b) A violation of an existing or former law of this 3143
state, any other state, or the United States that is 3144

substantially equivalent to any of the offenses or violations 3145
described in division (A) (5) (a) of this section. 3146

(6) Upon receipt of a request pursuant to section 5153.111 3147
of the Revised Code, a completed form prescribed pursuant to 3148
division (C) (1) of this section, and a set of fingerprint 3149
impressions obtained in the manner described in division (C) (2) 3150
of this section, the superintendent of the bureau of criminal 3151
identification and investigation shall conduct a criminal 3152
records check in the manner described in division (B) of this 3153
section to determine whether any information exists that 3154
indicates that the person who is the subject of the request 3155
previously has been convicted of or pleaded guilty to any of the 3156
following: 3157

(a) A violation of section 2903.01, 2903.02, 2903.03, 3158
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 3159
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 3160
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 3161
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 3162
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 3163
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 3164
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 3165
Code, felonious sexual penetration in violation of former 3166
section 2907.12 of the Revised Code, a violation of section 3167
2905.04 of the Revised Code as it existed prior to July 1, 1996, 3168
a violation of section 2919.23 of the Revised Code that would 3169
have been a violation of section 2905.04 of the Revised Code as 3170
it existed prior to July 1, 1996, had the violation been 3171
committed prior to that date, or a violation of section 2925.11 3172
of the Revised Code that is not a minor drug possession offense; 3173

(b) A violation of an existing or former law of this 3174

state, any other state, or the United States that is 3175
substantially equivalent to any of the offenses listed in 3176
division (A) (6) (a) of this section. 3177

(7) On receipt of a request for a criminal records check 3178
from an individual pursuant to section 4749.03 or 4749.06 of the 3179
Revised Code, accompanied by a completed copy of the form 3180
prescribed in division (C) (1) of this section and a set of 3181
fingerprint impressions obtained in a manner described in 3182
division (C) (2) of this section, the superintendent of the 3183
bureau of criminal identification and investigation shall 3184
conduct a criminal records check in the manner described in 3185
division (B) of this section to determine whether any 3186
information exists indicating that the person who is the subject 3187
of the request has been convicted of or pleaded guilty to any 3188
criminal offense in this state or in any other state. If the 3189
individual indicates that a firearm will be carried in the 3190
course of business, the superintendent shall require information 3191
from the federal bureau of investigation as described in 3192
division (B) (2) of this section. Subject to division (F) of this 3193
section, the superintendent shall report the findings of the 3194
criminal records check and any information the federal bureau of 3195
investigation provides to the director of public safety. 3196

(8) On receipt of a request pursuant to section 1321.37, 3197
1321.53, or 4763.05 of the Revised Code, a completed form 3198
prescribed pursuant to division (C) (1) of this section, and a 3199
set of fingerprint impressions obtained in the manner described 3200
in division (C) (2) of this section, the superintendent of the 3201
bureau of criminal identification and investigation shall 3202
conduct a criminal records check with respect to any person who 3203
has applied for a license, permit, or certification from the 3204
department of commerce or a division in the department. The 3205

superintendent shall conduct the criminal records check in the 3206
manner described in division (B) of this section to determine 3207
whether any information exists that indicates that the person 3208
who is the subject of the request previously has been convicted 3209
of or pleaded guilty to any criminal offense in this state, any 3210
other state, or the United States. 3211

(9) On receipt of a request for a criminal records check 3212
from the treasurer of state under section 113.041 of the Revised 3213
Code or from an individual under section 928.03, 4701.08, 3214
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 3215
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 3216
4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 3217
4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.202, 3218
4751.21, 4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 3219
4760.06, 4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 3220
4776.021, 4778.04, 4778.07, 4779.091, or 4783.04 of the Revised 3221
Code, accompanied by a completed form prescribed under division 3222
(C)(1) of this section and a set of fingerprint impressions 3223
obtained in the manner described in division (C)(2) of this 3224
section, the superintendent of the bureau of criminal 3225
identification and investigation shall conduct a criminal 3226
records check in the manner described in division (B) of this 3227
section to determine whether any information exists that 3228
indicates that the person who is the subject of the request has 3229
been convicted of or pleaded guilty to any criminal offense in 3230
this state or any other state. Subject to division (F) of this 3231
section, the superintendent shall send the results of a check 3232
requested under section 113.041 of the Revised Code to the 3233
treasurer of state and shall send the results of a check 3234
requested under any of the other listed sections to the 3235
licensing board specified by the individual in the request. 3236

(10) On receipt of a request pursuant to section 124.74, 3237
718.131, 1121.23, 1315.141, 1733.47, 1761.26, or 5123.169 of the 3238
Revised Code, a completed form prescribed pursuant to division 3239
(C)(1) of this section, and a set of fingerprint impressions 3240
obtained in the manner described in division (C)(2) of this 3241
section, the superintendent of the bureau of criminal 3242
identification and investigation shall conduct a criminal 3243
records check in the manner described in division (B) of this 3244
section to determine whether any information exists that 3245
indicates that the person who is the subject of the request 3246
previously has been convicted of or pleaded guilty to any 3247
criminal offense under any existing or former law of this state, 3248
any other state, or the United States. 3249

(11) On receipt of a request for a criminal records check 3250
from an appointing or licensing authority under section 3772.07 3251
of the Revised Code, a completed form prescribed under division 3252
(C)(1) of this section, and a set of fingerprint impressions 3253
obtained in the manner prescribed in division (C)(2) of this 3254
section, the superintendent of the bureau of criminal 3255
identification and investigation shall conduct a criminal 3256
records check in the manner described in division (B) of this 3257
section to determine whether any information exists that 3258
indicates that the person who is the subject of the request 3259
previously has been convicted of or pleaded guilty or no contest 3260
to any offense under any existing or former law of this state, 3261
any other state, or the United States that is a disqualifying 3262
offense as defined in section 3772.07 of the Revised Code or 3263
substantially equivalent to such an offense. 3264

(12) On receipt of a request pursuant to section 2151.33 3265
or 2151.412 of the Revised Code, a completed form prescribed 3266
pursuant to division (C)(1) of this section, and a set of 3267

fingerprint impressions obtained in the manner described in 3268
division (C) (2) of this section, the superintendent of the 3269
bureau of criminal identification and investigation shall 3270
conduct a criminal records check with respect to any person for 3271
whom a criminal records check is required under that section. 3272
The superintendent shall conduct the criminal records check in 3273
the manner described in division (B) of this section to 3274
determine whether any information exists that indicates that the 3275
person who is the subject of the request previously has been 3276
convicted of or pleaded guilty to any of the following: 3277

(a) A violation of section 2903.01, 2903.02, 2903.03, 3278
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 3279
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 3280
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 3281
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 3282
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 3283
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 3284
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 3285
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 3286

(b) An existing or former law of this state, any other 3287
state, or the United States that is substantially equivalent to 3288
any of the offenses listed in division (A) (12) (a) of this 3289
section. 3290

(13) On receipt of a request pursuant to section 3796.12 3291
of the Revised Code, a completed form prescribed pursuant to 3292
division (C) (1) of this section, and a set of fingerprint 3293
impressions obtained in a manner described in division (C) (2) of 3294
this section, the superintendent of the bureau of criminal 3295
identification and investigation shall conduct a criminal 3296
records check in the manner described in division (B) of this 3297

section to determine whether any information exists that 3298
indicates that the person who is the subject of the request 3299
previously has been convicted of or pleaded guilty to the 3300
following: 3301

(a) A disqualifying offense as specified in rules adopted 3302
under section 9.79 and division (B) (2) (b) of section 3796.03 of 3303
the Revised Code if the person who is the subject of the request 3304
is an administrator or other person responsible for the daily 3305
operation of, or an owner or prospective owner, officer or 3306
prospective officer, or board member or prospective board member 3307
of, an entity seeking a license from the department of commerce 3308
under Chapter 3796. of the Revised Code; 3309

(b) A disqualifying offense as specified in rules adopted 3310
under section 9.79 and division (B) (2) (b) of section 3796.04 of 3311
the Revised Code if the person who is the subject of the request 3312
is an administrator or other person responsible for the daily 3313
operation of, or an owner or prospective owner, officer or 3314
prospective officer, or board member or prospective board member 3315
of, an entity seeking a license from the state board of pharmacy 3316
under Chapter 3796. of the Revised Code. 3317

(14) On receipt of a request required by section 3796.13 3318
of the Revised Code, a completed form prescribed pursuant to 3319
division (C) (1) of this section, and a set of fingerprint 3320
impressions obtained in a manner described in division (C) (2) of 3321
this section, the superintendent of the bureau of criminal 3322
identification and investigation shall conduct a criminal 3323
records check in the manner described in division (B) of this 3324
section to determine whether any information exists that 3325
indicates that the person who is the subject of the request 3326
previously has been convicted of or pleaded guilty to the 3327

following: 3328

(a) A disqualifying offense as specified in rules adopted 3329
under division (B) (8) (a) of section 3796.03 of the Revised Code 3330
if the person who is the subject of the request is seeking 3331
employment with an entity licensed by the department of commerce 3332
under Chapter 3796. of the Revised Code; 3333

(b) A disqualifying offense as specified in rules adopted 3334
under division (B) (14) (a) of section 3796.04 of the Revised Code 3335
if the person who is the subject of the request is seeking 3336
employment with an entity licensed by the state board of 3337
pharmacy under Chapter 3796. of the Revised Code. 3338

(15) On receipt of a request pursuant to section 4768.06 3339
of the Revised Code, a completed form prescribed under division 3340
(C) (1) of this section, and a set of fingerprint impressions 3341
obtained in the manner described in division (C) (2) of this 3342
section, the superintendent of the bureau of criminal 3343
identification and investigation shall conduct a criminal 3344
records check in the manner described in division (B) of this 3345
section to determine whether any information exists indicating 3346
that the person who is the subject of the request has been 3347
convicted of or pleaded guilty to any criminal offense in this 3348
state or in any other state. 3349

(16) On receipt of a request pursuant to division (B) of 3350
section 4764.07 or division (A) of section 4735.143 of the 3351
Revised Code, a completed form prescribed under division (C) (1) 3352
of this section, and a set of fingerprint impressions obtained 3353
in the manner described in division (C) (2) of this section, the 3354
superintendent of the bureau of criminal identification and 3355
investigation shall conduct a criminal records check in the 3356
manner described in division (B) of this section to determine 3357

whether any information exists indicating that the person who is 3358
the subject of the request has been convicted of or pleaded 3359
guilty to any criminal offense in any state or the United 3360
States. 3361

(17) On receipt of a request for a criminal records check 3362
under section 147.022 of the Revised Code, a completed form 3363
prescribed under division (C)(1) of this section, and a set of 3364
fingerprint impressions obtained in the manner prescribed in 3365
division (C)(2) of this section, the superintendent of the 3366
bureau of criminal identification and investigation shall 3367
conduct a criminal records check in the manner described in 3368
division (B) of this section to determine whether any 3369
information exists that indicates that the person who is the 3370
subject of the request previously has been convicted of or 3371
pleaded guilty or no contest to any criminal offense under any 3372
existing or former law of this state, any other state, or the 3373
United States. 3374

(18) Upon receipt of a request pursuant to division (F) of 3375
section 2915.081 or division (E) of section 2915.082 of the 3376
Revised Code, a completed form prescribed under division (C)(1) 3377
of this section, and a set of fingerprint impressions obtained 3378
in the manner described in division (C)(2) of this section, the 3379
superintendent of the bureau of criminal identification and 3380
investigation shall conduct a criminal records check in the 3381
manner described in division (B) of this section to determine 3382
whether any information exists indicating that the person who is 3383
the subject of the request has been convicted of or pleaded 3384
guilty or no contest to any offense that is a violation of 3385
Chapter 2915. of the Revised Code or to any offense under any 3386
existing or former law of this state, any other state, or the 3387
United States that is substantially equivalent to such an 3388

offense. 3389

(B) Subject to division (F) of this section, the 3390
superintendent shall conduct any criminal records check to be 3391
conducted under this section as follows: 3392

(1) The superintendent shall review or cause to be 3393
reviewed any relevant information gathered and compiled by the 3394
bureau under division (A) of section 109.57 of the Revised Code 3395
that relates to the person who is the subject of the criminal 3396
records check, including, if the criminal records check was 3397
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 3398
173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 3399
1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3400
3712.09, 3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 3401
4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 3402
5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 3403
5153.111 of the Revised Code, any relevant information contained 3404
in records that have been sealed under section 2953.32 of the 3405
Revised Code; 3406

(2) If the request received by the superintendent asks for 3407
information from the federal bureau of investigation, the 3408
superintendent shall request from the federal bureau of 3409
investigation any information it has with respect to the person 3410
who is the subject of the criminal records check, including 3411
fingerprint-based checks of national crime information databases 3412
as described in 42 U.S.C. 671 if the request is made pursuant to 3413
section 2151.86 or 5104.013 of the Revised Code or if any other 3414
Revised Code section requires fingerprint-based checks of that 3415
nature, and shall review or cause to be reviewed any information 3416
the superintendent receives from that bureau. If a request under 3417
section 3319.39 of the Revised Code asks only for information 3418

from the federal bureau of investigation, the superintendent 3419
shall not conduct the review prescribed by division (B) (1) of 3420
this section. 3421

(3) The superintendent or the superintendent's designee 3422
may request criminal history records from other states or the 3423
federal government pursuant to the national crime prevention and 3424
privacy compact set forth in section 109.571 of the Revised 3425
Code. 3426

(4) The superintendent shall include in the results of the 3427
criminal records check a list or description of the offenses 3428
listed or described in the relevant provision of division (A) 3429
~~(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12),~~ 3430
~~(13), (14), (15), (16), or (17)~~ of this section, ~~whichever~~ 3431
~~division requires the superintendent to conduct the criminal~~ 3432
~~records check.~~ The superintendent shall exclude from the results 3433
any information the dissemination of which is prohibited by 3434
federal law. 3435

(5) The superintendent shall send the results of the 3436
criminal records check to the person to whom it is to be sent 3437
not later than the following number of days after the date the 3438
superintendent receives the request for the criminal records 3439
check, the completed form prescribed under division (C) (1) of 3440
this section, and the set of fingerprint impressions obtained in 3441
the manner described in division (C) (2) of this section: 3442

(a) If the superintendent is required by division (A) of 3443
this section (other than division (A) (3) of this section) to 3444
conduct the criminal records check, thirty; 3445

(b) If the superintendent is required by division (A) (3) 3446
of this section to conduct the criminal records check, sixty. 3447

(C) (1) The superintendent shall prescribe a form to obtain 3448
the information necessary to conduct a criminal records check 3449
from any person for whom a criminal records check is to be 3450
conducted under this section. The form that the superintendent 3451
prescribes pursuant to this division may be in a tangible 3452
format, in an electronic format, or in both tangible and 3453
electronic formats. 3454

(2) The superintendent shall prescribe standard impression 3455
sheets to obtain the fingerprint impressions of any person for 3456
whom a criminal records check is to be conducted under this 3457
section. Any person for whom a records check is to be conducted 3458
under this section shall obtain the fingerprint impressions at a 3459
county sheriff's office, municipal police department, or any 3460
other entity with the ability to make fingerprint impressions on 3461
the standard impression sheets prescribed by the superintendent. 3462
The office, department, or entity may charge the person a 3463
reasonable fee for making the impressions. The standard 3464
impression sheets the superintendent prescribes pursuant to this 3465
division may be in a tangible format, in an electronic format, 3466
or in both tangible and electronic formats. 3467

(3) Subject to division (D) of this section, the 3468
superintendent shall prescribe and charge a reasonable fee for 3469
providing a criminal records check under this section. The 3470
person requesting the criminal records check shall pay the fee 3471
prescribed pursuant to this division. In the case of a request 3472
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 3473
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 3474
fee shall be paid in the manner specified in that section. 3475

(4) The superintendent of the bureau of criminal 3476
identification and investigation may prescribe methods of 3477

forwarding fingerprint impressions and information necessary to 3478
conduct a criminal records check, which methods shall include, 3479
but not be limited to, an electronic method. 3480

(D) The results of a criminal records check conducted 3481
under this section, other than a criminal records check 3482
specified in division (A) (7) of this section, are valid for the 3483
person who is the subject of the criminal records check for a 3484
period of one year from the date upon which the superintendent 3485
completes the criminal records check. If during that period the 3486
superintendent receives another request for a criminal records 3487
check to be conducted under this section for that person, the 3488
superintendent shall provide the results from the previous 3489
criminal records check of the person at a lower fee than the fee 3490
prescribed for the initial criminal records check. 3491

(E) When the superintendent receives a request for 3492
information from a registered private provider, the 3493
superintendent shall proceed as if the request was received from 3494
a school district board of education under section 3319.39 of 3495
the Revised Code. The superintendent shall apply division (A) (1) 3496
(c) of this section to any such request for an applicant who is 3497
a teacher. 3498

(F) (1) Subject to division (F) (2) of this section, all 3499
information regarding the results of a criminal records check 3500
conducted under this section that the superintendent reports or 3501
sends under division (A) (7) or (9) of this section to the 3502
director of public safety, the treasurer of state, or the 3503
person, board, or entity that made the request for the criminal 3504
records check shall relate to the conviction of the subject 3505
person, or the subject person's plea of guilty to, a criminal 3506
offense. 3507

(2) Division (F) (1) of this section does not limit, 3508
restrict, or preclude the superintendent's release of 3509
information that relates to the arrest of a person who is 3510
eighteen years of age or older, to an adjudication of a child as 3511
a delinquent child, or to a criminal conviction of a person 3512
under eighteen years of age in circumstances in which a release 3513
of that nature is authorized under division (E) (2), (3), or (4) 3514
of section 109.57 of the Revised Code pursuant to a rule adopted 3515
under division (E) (1) of that section. 3516

(G) As used in this section: 3517

(1) "Criminal records check" means any criminal records 3518
check conducted by the superintendent of the bureau of criminal 3519
identification and investigation in accordance with division (B) 3520
of this section. 3521

(2) "Minor drug possession offense" has the same meaning 3522
as in section 2925.01 of the Revised Code. 3523

(3) "OVI or OVUAC violation" means a violation of section 3524
4511.19 of the Revised Code or a violation of an existing or 3525
former law of this state, any other state, or the United States 3526
that is substantially equivalent to section 4511.19 of the 3527
Revised Code. 3528

(4) "Registered private provider" means a nonpublic school 3529
or entity registered with the superintendent of public 3530
instruction under section 3310.41 of the Revised Code to 3531
participate in the autism scholarship program or section 3310.58 3532
of the Revised Code to participate in the Jon Peterson special 3533
needs scholarship program. 3534

Section 4. That the existing version of section 109.572 of 3535
the Revised Code scheduled to take effect October 9, 2021, is 3536

hereby repealed. 3537

Section 5. Sections 3 and 4 of this act take effect 3538
October 9, 2021. 3539

Section 6. The version of section 109.572 of the Revised 3540
Code effective October 9, 2021, is presented in this act as a 3541
composite of the section as amended by both H.B. 263 and S.B. 3542
260 of the 133rd General Assembly. The General Assembly, 3543
applying the principle stated in division (B) of section 1.52 of 3544
the Revised Code that amendments are to be harmonized if 3545
reasonably capable of simultaneous operation, finds that the 3546
composite is the resulting version of the section in effect 3547
prior to the effective date of the section as presented in this 3548
act. 3549