

**As Introduced**

**125th General Assembly  
Regular Session  
2003-2004**

**H. B. No. 263**

**Representatives Seaver, Allen, Aslanides, Boccieri, Book, Carano, Cirelli,  
Collier, Distel, Domenick, Driehaus, Faber, Fessler, Harwood, Koziura, Perry,  
Redfern, Sferra, Willamowski, Wilson**

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**A B I L L**

To amend sections 2915.101 and 2915.13 of the Revised Code to allow a veteran's organization, fraternal organization, or sporting organization that is licensed to conduct bingo to retain one hundred per cent of the net profit from the proceeds of the sale of instant bingo for its own charitable purposes.

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

**Section 1.** That sections 2915.101 and 2915.13 of the Revised Code be amended to read as follows:

**Sec. 2915.101.** Except as otherwise provided by law, a charitable organization that conducts instant bingo shall distribute the net profit from the proceeds of the sale of instant bingo as follows:

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

~~(a) A minimum of fifty per cent shall be distributed to an~~

~~organization described in division (Z)(1) of section 2915.01 of  
the Revised Code or to a department or agency of the federal  
government, the state, or any political subdivision;~~

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~~(b) Five per cent may be distributed for the organization's  
own charitable purposes.~~

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~~(c) Forty five per cent may be deducted and retained by the  
organization for the organization's expenses in conducting the  
instant bingo game.~~

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~~(2) If a veteran's organization, a fraternal organization, or  
a sporting organization does not distribute the full percentages  
specified in divisions (A)(1)(b) and (c) of this section for the  
purposes specified in those divisions, the organization shall  
distribute the balance of the net profit from the proceeds of the  
sale of instant bingo not distributed or retained for those  
purposes to an organization described in division (Z)(1) of  
section 2915.01 of the Revised Code.~~

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~~(3) A veteran's organization, a fraternal organization, or a  
sporting organization shall pay the expenses that are directly for  
the conduct of instant bingo by check from the checking account  
devoted exclusively to the bingo session or game and may deduct  
and retain the remainder of the thirty five per cent of the net  
profit from the proceeds of the sale of instant bingo that is for  
the organization's expenses in conducting the instant bingo game  
and may transfer that remainder into the organization's general  
account.~~

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~~(B) If a charitable organization other than a veteran's  
organization, a fraternal organization, or a sporting organization  
conducted the instant bingo, the organization shall distribute one  
hundred per cent of the net profit from the proceeds of the sale  
of instant bingo to an organization described in division (Z)(1)  
of section 2915.01 of the Revised Code or to a department or~~

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agency of the federal government, the state, or any political 50  
subdivision, or to a veteran's organization, fraternal 51  
organization, or sporting organization that is licensed to conduct 52  
any form of bingo pursuant to section 2915.08 of the Revised Code. 53

**Sec. 2915.13.** (A) A veteran's organization, a fraternal 54  
organization, or a sporting organization authorized to conduct a 55  
bingo session pursuant to sections 2915.01 to 2915.12 of the 56  
Revised Code may conduct instant bingo other than at a bingo 57  
session if all of the following apply: 58

(1) The veteran's organization, fraternal organization, or 59  
sporting organization limits the sale of instant bingo to ten 60  
consecutive hours per day for up to six days per week. 61

(2) The veteran's organization, fraternal organization, or 62  
sporting organization limits the sale of instant bingo to its own 63  
premises and to its own members and invited guests. 64

(3) The veteran's organization, fraternal organization, or 65  
sporting organization is raising money for an organization that is 66  
described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the 67  
Internal Revenue Code and is either a governmental unit or an 68  
organization that maintains its principal place of business in 69  
this state, that is exempt from federal income taxation under 70  
subsection 501(a) and described in subsection 501(c)(3) of the 71  
Internal Revenue Code, and that is in good standing in this state 72  
and executes a written contract with that organization as required 73  
in division (B) of this section, or the veteran's organization, 74  
fraternal organization, or sporting organization is raising money 75  
for its own charitable purposes. 76

(B) If a veteran's organization, fraternal organization, or 77  
sporting organization authorized to conduct instant bingo pursuant 78  
to division (A) of this section is raising money for another 79  
organization that is described in subsection 509(a)(1), 509(a)(2), 80

or 509(a)(3) of the Internal Revenue Code and is either a 81  
governmental unit or an organization that maintains its principal 82  
place of business in this state, that is exempt from federal 83  
income taxation under subsection 501(a) and described in 84  
subsection 501(c)(3) of the Internal Revenue Code, and that is in 85  
good standing in this state, the veteran's organization, fraternal 86  
organization, or sporting organization shall execute a written 87  
contract with the organization that is described in subsection 88  
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 89  
and is either a governmental unit or an organization that 90  
maintains its principal place of business in this state, that is 91  
exempt from federal income taxation under subsection 501(a) and 92  
described in subsection 501(c)(3) of the Internal Revenue Code, 93  
and that is in good standing in this state in order to conduct 94  
instant bingo. That contract shall include a statement of the 95  
percentage of the net proceeds that the veteran's, fraternal, or 96  
sporting organization will be distributing to the organization 97  
that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) 98  
of the Internal Revenue Code and is either a governmental unit or 99  
an organization that maintains its principal place of business in 100  
this state, that is exempt from federal income taxation under 101  
subsection 501(a) and described in subsection 501(c)(3) of the 102  
Internal Revenue Code, and that is in good standing in this state. 103

(C)(1) If a veteran's organization, fraternal organization, 104  
or sporting organization authorized to conduct instant bingo 105  
pursuant to division (A) of this section has been issued a liquor 106  
permit under Chapter 4303. of the Revised Code, that permit may be 107  
subject to suspension, revocation, or cancellation if the 108  
veteran's organization, fraternal organization, or sporting 109  
organization violates a provision of sections 2915.01 to 2915.13 110  
of the Revised Code. 111

(2) No veteran's organization, fraternal organization, or 112

sporting organization that enters into a written contract pursuant 113  
to division (B) of this section shall violate any provision of 114  
Chapter 2915. of the Revised Code, or permit, aid, or abet any 115  
other person in violating any provision of Chapter 2915. of the 116  
Revised Code. 117

(D) A veteran's organization, fraternal organization, or 118  
sporting organization shall give all required proceeds earned from 119  
the conduct of instant bingo to the organization with which the 120  
veteran's organization, fraternal organization, or sporting 121  
organization has entered into a written contract or retain the 122  
proceeds earned from the conduct of instant bingo if the veteran's 123  
organization, fraternal organization, or sporting organization is 124  
raising money for its own charitable purposes. 125

(E) Whoever violates this section is guilty of illegal 126  
instant bingo conduct. Except as otherwise provided in this 127  
division, illegal instant bingo conduct is a misdemeanor of the 128  
first degree. If the offender previously has been convicted of a 129  
violation of this section, illegal instant bingo conduct is a 130  
felony of the fifth degree. 131

**Section 2.** That existing sections 2915.101 and 2915.13 of the 132  
Revised Code are hereby repealed. 133