



Sub. H.B. 325

125th General Assembly
(As Passed by the General Assembly)

- Reps.** Hollister, Faber, Aslanides, Blasdel, Brinkman, Callender, Carmichael, Clancy, Collier, Daniels, C. Evans, Fessler, Flowers, Gibbs, Gilb, Grendell, Hoops, Latta, Kearns, Niehaus, Oelslager, Olman, Peterson, Raussen, Reidelbach, Reinhard, Schaffer, Schmidt, J. Stewart, Taylor, Trakas, Wagner, Widener, Widowfield, Willamowski, Wolpert, Young, Allen, Book, Carano, Cirelli, DePiero, Distel, Domenick, Driehaus, Hartnett, Harwood, Jerse, Koziura, Otterman, S. Patton, Perry, Redfern, Seaver, Sferra, Wilson, Cates, D. Stewart, Barrett, Beatty, Brown, Buehrer, Chandler, DeBose, DeGeeter, D. Evans, Hagan, Hughes, Key, Martin, Miller, T. Patton, Seitz, Setzer, Skindell, G. Smith, S. Smith, Strahorn, Sykes, Ujvagi, Walcher, Woodard, Yates
- Sens.** Mumper, Austria, Robert Gardner, Harris, Jordan, Padgett, Roberts, Spada, Schuring, Wachtmann, Prentiss, Fedor, DiDonato, Miller, Zurz, Hagan, Stivers, Fingerhut

Effective date: *

ACT SUMMARY

- Allows charitable gambling by county or independent agricultural societies during specified time periods at all county fairgrounds rather than only at fairgrounds in counties with a population of 500,000 or less as under prior law (sec. 1711.09).
- Allows a distributor of bingo supplies to modify, convert, add to, or remove parts from bingo supplies to further their promotion or sale (secs. 2915.01(PP) and 2915.081(A) and (E)).
- Includes, within the definition of "service organization," a nonprofit organization that is organized and operated exclusively to provide, or to

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

contribute to the support of organizations or institutions organized and operated exclusively to provide, immediate shelter to victims of domestic violence (sec. 2915.01(O)(1)).

- Expands the definition of "nonprofit medical organization" to include any 501(c)(3) organization that has been incorporated as a nonprofit corporation for at least five years and that has been operated and will be operated primarily to provide, or to contribute to the support of organizations or institutions organized and operated exclusively to provide, hospital, medical, research, or therapeutic services for the public (sec. 2915.01(P)).
- Provides that if a bingo session commences at 10 a.m., instant bingo tickets may be sold beginning at 9 a.m. (sec. 2915.09(C)(6)).
- Authorizes a chamber of commerce to conduct not more than one raffle per year to raise money for the chamber of commerce (secs. 2915.01(DDD) and 2915.092(B)).¹
- Provides that if a charitable organization that is authorized to conduct a raffle, but that is not also described in subsection 501(c)(3) of the Internal Revenue Code, conducts a raffle, the organization must distribute at least 50% of the net profit from the raffle to a charitable purpose or a department or agency of the federal government, the state, or any political subdivision (sec. 2915.092(A)(2)).
- Provides that if a veteran's, fraternal, or sporting organization conducts instant bingo, for the first \$75,000, or a greater amount prescribed by the Attorney General to adjust for changes in prices as measured by the Consumer Price Index, of net profit generated during a calendar year: (1) at least 25% must be distributed to a governmental unit, 501(c)(3) organization, or department or agency of the federal government, the state, or any political subdivision, and (2) not more than 75% may be deducted and retained for reimbursement of or for the organization's expenses in conducting the instant bingo game (sec. 2915.101(A)(1)(a)).
- Provides that the Charitable Bingo Law does not prohibit a veteran's, fraternal, or sporting organization from distributing net profit from

¹ For changes in this provision, see the Final Analysis of Am. Sub. S.B. 146 of the 125th General Assembly.

instant bingo to a 501(c)(3) organization when the 501(c)(3) organization makes donations to other organizations and permits donors to advise or direct such donations so long as the donations comply with requirements established in or pursuant to subsection 501(c)(3) of the Internal Revenue Code (sec. 2915.101(C)).

- Eliminates a requirement of law that a veteran's, fraternal, or sporting organization had to pay expenses that were directly for the conduct of instant bingo by check from a checking account devoted exclusively to a bingo session or instant bingo game (sec. 2915.101(A)(3)).
- Requires the owner or lessor of a location that has entered into a contract with a charitable instant bingo organization to assist in the conduct of instant bingo at that location to pay the full gross profit to the organization in return for each deal of instant bingo tickets sold and to pay to the organization the value of any unredeemed instant bingo prizes remaining in the deal of instant bingo tickets, and defines "retail income from all commercial activity," for purposes of the prohibition against conducting instant bingo at a location where the primary source of retail income from all commercial activity at that location is the sale of instant bingo tickets, to mean the income received from the provision of goods, services, or activities that are provided at the location, including the sale of instant bingo tickets, and, for certain religious organizations, to include donations from its members and guests (sec. 2915.093(A) and (E)).
- Limits a veteran's, fraternal, or sporting organization that conducts instant bingo at other than a bingo session to the sale of instant bingo for 12 hours during any day and not earlier than 10 a.m. or later than 2 a.m. rather than ten consecutive hours per day for up to six days per week as under former law (sec. 2915.13(A)(1)).
- Provides that a charitable organization's use of bingo proceeds in certain situations to pay for expenses includes reimbursement of expenses (secs. 2915.09(A)(2) and 2915.101(A)(1)).
- Regulates the use of the net profit of bingo and instant bingo by a charitable organization in the twelve-month period ending October 31, 2004, that equals the amount of funds that the charitable organization paid to the Attorney General as a condition for obtaining a bingo license under a charitable settlement that was entered into with the Attorney

General on or after July 1, 2003, and before September 1, 2003, and that was based on illegal gambling citations involving the charitable organization within the five years prior to June 30, 2003 (Section 3).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	11-06-03	p. 1154
Reported, H. State Gov't	03-18-04	p. 1707
Passed House (91-6)	03-24-04	pp. 1737-1738
Reported, S. Agriculture	05-26-04	pp. 2007-2008
Passed Senate (31-2)	05-26-04	pp. 2042-2043
House concurred in Senate amendments (91-7)	05-26-04	pp. 2076-2078

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