



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

Sub. S.B. 194 of the 133rd General Assembly

House State and Local Government

Ben Fogle, Attorney

Electronic Instant Bingo

Establishes electronic instant bingo as a separate type of bingo, along with traditional bingo, raffles, and instant bingo, but largely regulates the operation of electronic instant bingo in the same manner as instant bingo.

Definitions

Defines “electronic instant bingo” as a form of bingo that consists of an electronic or digital representation of instant bingo and that meets a series of requirements.

Defines an “electronic instant bingo system” as a mechanical, electronic, digital, or video device that is used to play electronic instant bingo and any associated equipment or software used to conduct, manage, monitor, or document any aspect of electronic instant bingo.

Veteran’s and fraternal organizations conducting electronic instant bingo

Allows veteran’s and fraternal organizations to offer electronic instant bingo under a Type II or Type III license, in the same way as instant bingo.

Requires electronic instant bingo proceeds to be distributed in the same manner as instant bingo proceeds are distributed under continuing law.

Applies the same recordkeeping and operating requirements to electronic instant bingo as currently apply to instant bingo.

Applies the restrictions on bingo game operators in the context of electronic instant bingo to any person involved in selling or redeeming electronic instant bingo tickets, credits, or vouchers or accessing an electronic instant bingo system other than as a participant, but does not include security personnel or a person who is maintaining, updating, or repairing an electronic instant bingo system.

Attorney General rules

Requires the Attorney General to adopt rules under the Administrative Procedure Act to ensure the integrity of electronic instant bingo, and lists several topics that must be covered under those rules.

Authorizes the Attorney General to impose a civil fine on a charitable organization that has a bingo license for failure to comply with bingo laws and rules.

Distributor and manufacturer licensing

Requires a licensed distributor or manufacturer of bingo supplies to obtain an electronic instant bingo endorsement to the distributor's or manufacturer's license in order to distribute or manufacture electronic instant bingo systems.

Requires the distributor or manufacturer to pass a criminal records check regarding gambling-related offenses in order to receive the endorsement.

Requires bingo equipment manufacturers and distributors seeking licensure to post a \$50,000 bond.

Requires that manufacturers of electronic instant bingo software own their own proprietary software or have a license to use proprietary software.

Allows the Attorney General to suspend or revoke an endorsement for violations of Ohio's gambling laws or rules.

Regulation of electronic instant bingo systems

Requires a manufacturer of an electronic instant bingo system to submit the system to an independent testing laboratory and to the Attorney General for approval before the manufacturer may sell, offer to sell, or otherwise provide or offer to provide the system to any person for use in Ohio.

Requires every electronic instant bingo system in use in Ohio to include an internal report management system and to allow the Attorney General to access the internal report management system, monitor the electronic instant bingo in real time, and remotely deactivate the electronic instant bingo system or any aspect of it.

Permits Attorney General to inspect any electronic instant bingo system in use in Ohio at any time to ensure that the system is in compliance with the bill and with the Attorney General's rules.

Allows Attorney General to establish by rule an annual fee to be paid by electronic instant bingo system distributors to cover the cost of monitoring and inspecting systems under the bill.

Prohibitions regarding electronic instant bingo

Prohibits several types of conduct related to the operation of electronic instant bingo.

Prohibits any person from selling, offering to sell, or otherwise providing or offering to provide an unapproved electronic instant bingo system to any person for use in Ohio.

Specifies that person who knowingly violates any of the prohibitions in the bill or in the Attorney General's rules is guilty of illegal electronic instant bingo conduct, which is a first degree misdemeanor for a first offense and a fifth degree felony for any subsequent offense.

Bingo licenses, generally

Denial or suspension

Allows the Attorney General to deny a bingo license to an organization, or suspend an organization's bingo license for up to five years, if the Attorney General has good cause to believe that any director or officer of the organization has breached the director's or officer's fiduciary duty to the organization.

Provides the Attorney General with rule-making authority to place limits, restrictions, and probationary conditions on bingo operator, manufacturer, and distributor licenses.

Authorizes the Attorney General to make rules related to granting, suspending, revoking, or modifying a bingo operator, distributor, or manufacturer license or endorsement and for approving changes to electronic instant bingo systems and games.

Allows the Attorney General to suspend, refuse, or revoke a bingo license if the charitable organization engages in misconduct.

Youth athletic park organizations

Eliminates a requirement that a youth athletic park organization's playing fields have been used for nonprofit youth athletic activities for at least 100 days during a given year in order for the organization to obtain a bingo license.

License type

Requires a bingo license to indicate whether it is a Type I, Type II, or Type III license.

Technical changes

Makes numerous stylistic and technical changes to the section of law governing bingo licenses in order to incorporate "Type I," "Type II," and "Type III" license terminology, to clarify that an organization does not need a license to conduct a raffle, and generally to make the section easier to read.

Punch boards and seal cards

Clarifies that punch boards and seal cards are types of instant bingo games and may be played under an instant bingo license.

Minors playing traditional bingo

Makes a technical correction to clarify the penalty that applies to a charitable organization if it permits a person the organization knows, or should have known, is under 18 to play traditional bingo.

Bingo Law enforcement

Charitable organizations

Allows the Attorney General or a law enforcement agency to examine the accounts and records of any officer, agent, trustee, member, or employee of a charitable organization with a bingo license.

Manufacturers and distributors

Permits the Attorney General or a law enforcement agency to investigate a bingo distributor or manufacturer or any officer, agent, trustee, member, or employee of the bingo distributor or manufacturer in relation to violations of the Bingo Law.