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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Substitute Bill Comparative Synopsis

### Sub. H.B. 282

### 133<sup>rd</sup> General Assembly

House Finance

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_133_1372-3)
<b>Definition of electronic instant bingo</b>	
<p>Specifies that electronic instant bingo played on an electronic instant bingo device is a form of instant bingo and is regulated in the same manner as instant bingo. <i>(R.C. 2915.01(AA).)</i></p> <p>Defines an “electronic instant bingo device” as an electronic device that allows a person to play an electronic or digital representation of a form of physical instant bingo, which, under continuing law, must meet both of the following requirements:</p> <ul style="list-style-type: none"> <li>It uses folded or banded tickets or paper cards with perforated break-open tabs, a face of which is covered or otherwise hidden from view to conceal a number, letter, or symbol or set</li> </ul>	<p>Specifies that electronic instant bingo is an additional form of bingo that is regulated separately from instant bingo, traditional bingo, and raffles. <i>(R.C. 2915.01(O)(2).)</i></p> <p>Defines “electronic instant bingo” as a form of bingo that consists of an electronic or digital representation of instant bingo in which a participant wins a prize if the participant’s electronic instant bingo ticket contains a combination of numbers or symbols that was designated in advance as a winning combination, and to which all of the following apply:</p> <ul style="list-style-type: none"> <li>Each deal has a predetermined, finite number of winning and losing tickets and a predetermined prize amount and deal</li> </ul>

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<p>of numbers, letters, or symbols, some of which have been designated in advance as prize winners, and may also include games in which some winners are determined by the random selection of one or more bingo numbers by the use of a seal card or bingo blower;</p> <ul style="list-style-type: none"> <li>▪ The prize amount and structure must be predetermined.</li> </ul> <p>Allows for instant bingo seal cards and game flares to be represented in a digital or electronic format instead of a physical format.</p> <p>Eliminates a provision of law stating that “instant bingo” does not include any device that is activated by the insertion of a coin, currency, token, or an equivalent, and that contains as one of its components a video display monitor that is capable of displaying numbers, letters, symbols, or characters in winning or losing combinations. <i>(R.C. 2915.01(BB), (TT), and (CCC).)</i></p>	<p>structure, provided that there may be multiple winning combinations in each deal and multiple winning tickets;</p> <ul style="list-style-type: none"> <li>▪ Each electronic instant bingo ticket within a deal has a unique serial number that is not regenerated;</li> <li>▪ Each electronic instant bingo ticket within a deal is sold for the same price;</li> <li>▪ After a participant purchases an electronic instant bingo ticket, the combination of numbers or symbols on the ticket is revealed to the participant;</li> <li>▪ The reveal of numbers or symbols on the ticket may incorporate an entertainment or bonus theme, provided that the reveal does not include spinning reels that resemble a slot machine;</li> <li>▪ The reveal theme, if any, does not require additional consideration or award any prize other than any predetermined prize associated with the electronic instant bingo ticket.</li> </ul> <p>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. <i>(R.C. 2915.01(Y), (NN), (AAA), and (BBB).)</i></p>

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<b>License to conduct electronic instant bingo</b>	
<p>Allows a charitable organization to conduct electronic instant bingo in the same manner as instant bingo, under either or both of the following licenses:</p> <ul style="list-style-type: none"> <li>▪ Under a Type II license to conduct instant bingo at a traditional bingo session;</li> <li>▪ Under a Type III license to conduct instant bingo other than at a traditional bingo session (at a retail location).</li> </ul> <p>Requires a charitable organization that wishes to conduct electronic instant bingo to follow the same application procedures and pay the same applicable license fee as to conduct instant bingo. <i>(R.C. 2915.08, not in the bill.)</i></p>	<p>Same As Introduced, but refers to electronic instant bingo separately from instant bingo. <i>(R.C. 2915.01(S), 2915.08(A), 2915.093, 2915.094, 2915.095, and 2915.13.)</i></p>
<b>Proceeds of electronic instant bingo</b>	
<p>Requires a charitable organization to distribute the net profit from the proceeds of electronic instant bingo in the same manner as the net profit from the proceeds of instant bingo. <i>(R.C. 2915.101, not in the bill.)</i></p>	<p>Same As Introduced, but refers to electronic instant bingo separately from instant bingo. <i>(R.C. 2915.01(V) and (PP), 2915.09(A)(3), and 2915.101.)</i></p>
<b>Conduct of electronic instant bingo</b>	
<p>Requires a charitable organization that conducts electronic instant bingo to comply with the same age limitation, recordkeeping, and other operating requirements as for instant bingo. <i>(R.C. 2915.091 and 2915.10, not in the bill.)</i></p>	<p>Same as As Introduced, but requires a charitable organization, once an electronic instant bingo deal is begun, to continue to sell tickets in that deal until <i>all</i> prizes have been awarded, instead of until the top two highest tiers of prizes have been awarded. <i>(R.C. 2915.09(D)(2), 2915.10, and 2915.14(A) and (D).)</i></p>

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<p>Specifies that a person who is selling or redeeming electronic instant bingo tickets or cards is a bingo game operator for purposes of the provisions of law regulating eligibility to be a bingo game operator and the permitted activities of a bingo game operator. <i>(R.C. 2915.01(Q).)</i></p> <p>Requires the Attorney General to adopt rules under the Administrative Procedure Act to ensure the integrity of electronic instant bingo. <i>(R.C. 2915.083(A).)</i></p>	<p>Specifies that a person who is doing either of the following is a bingo game operator:</p> <ul style="list-style-type: none"> <li>▪ Selling or redeeming electronic instant bingo tickets, credits, or vouchers;</li> <li>▪ Accessing an electronic instant bingo system other than as a participant.</li> </ul> <p>Specifies that a person is not considered a bingo game operator when the person is maintaining, updating, or repairing an electronic instant bingo system. <i>(R.C. 2915.01(Q).)</i></p> <p>Requires the Attorney General to adopt rules under the Administrative Procedure Act to ensure the integrity of electronic instant bingo, including rules governing all of the following:</p> <ul style="list-style-type: none"> <li>▪ The requirements to receive a license to conduct electronic instant bingo;</li> <li>▪ The location and number of electronic instant bingo systems in use;</li> <li>▪ The times when electronic instant bingo may be offered;</li> <li>▪ Signage requirements in facilities where electronic instant bingo is offered;</li> <li>▪ Electronic instant bingo device and system specifications, including reveal features and game themes;</li> <li>▪ The centralized report management system described below;</li> <li>▪ Procedures and standards for the review, approval, inspection, and monitoring of electronic instant bingo systems, as described below;</li> <li>▪ The fees to be charged for review, approval, inspection, and monitoring of electronic instant bingo systems, as described below. <i>(R.C. 2915.14(C).)</i></li> </ul>

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<b>Electronic instant bingo equipment</b>	
<p>No provision.</p> <p>Prohibits any person from providing an electronic instant bingo device to a charitable organization unless the Attorney General has reviewed the device and supporting system and unless an independent testing</p>	<p>Requires a distributor of an electronic instant bingo system to have an electronic instant bingo distributor endorsement to the person's distributor license.</p> <p>Requires a manufacturer of an electronic instant bingo system to have an electronic instant bingo manufacturer endorsement to the person's manufacturer license.</p> <p>Requires an applicant for either of those license endorsements to submit the applicant's fingerprints to the Bureau of Criminal Identification and Investigation for a criminal records check and to pay any fee required for that check.</p> <p>Prohibits the Attorney General from issuing either of those license endorsements to an applicant unless the Attorney General has received the results of the criminal records check.</p> <p>Prohibits the Attorney General from issuing either of those license endorsements to an applicant if the applicant, any officer or partner of the applicant, or any person who has an ownership interest of 10% or more in the applicant has violated any provision of the chapter of the Revised Code governing gambling or any rule adopted by the Attorney General under that chapter, or has violated any existing or former law or rule of Ohio, any other state, or the United States that is substantially equivalent to any provision of that chapter or any rule adopted by the Attorney General under that chapter.</p> <p>Specifies that an electronic instant bingo distributor or manufacturer endorsement is valid for the same one-year period as the underlying license. <i>(R.C. 109.572, 2915.081, and 2915.082.)</i></p> <p>Requires a manufacturer, before selling, offering to sell, or otherwise providing or offering to provide an electronic instant bingo system to any person for use in Ohio, to submit the system to an independent</p>

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<p>laboratory has issued a report stating that the device and supporting system have been tested, analyzed, and determined to meet the requirements of the chapter of the Revised Code governing gambling and any rules adopted by the Attorney General under that chapter. <i>(R.C. 2915.083(B).)</i></p> <p>Requires all electronic instant bingo devices and supporting systems to interface with a centralized report management system.</p>	<p>testing laboratory certified by the Ohio Casino Control Commission for testing and evaluation to determine whether the system meets the requirements of the chapter of the Revised Code governing gambling and of rules adopted under that chapter.</p> <p>Requires the manufacturer to have an electronic instant bingo manufacturer endorsement to the manufacturer’s license before submitting the system to the independent testing laboratory.</p> <p>Requires the manufacturer to pay all costs of the laboratory testing and evaluation.</p> <p>Allows the manufacturer, if the independent testing laboratory certifies the system, to submit the system to the Attorney General for review and approval.</p> <p>Requires the manufacturer’s submission to the Attorney General to include a copy of the laboratory’s certification and a fee established by the Attorney General by rule adopted under the Administrative Procedure Act.</p> <p>Requires the Attorney General to approve the system for use in Ohio if the Attorney General determines that the system meets all applicable requirements.</p> <p>Prohibits any person from selling, offering to sell, or otherwise providing or offering to provide an electronic instant bingo system to any person for use in Ohio unless the system has been approved as described above.</p> <p>Specifies that whoever violates that prohibition is guilty of a first degree misdemeanor, except that if the person has previously been convicted of a different violation of a law or rule governing electronic instant bingo, the violation is a fifth degree felony. <i>(R.C. 2915.082, 2915.14(B) and (D), and 2915.15(A).)</i></p> <p>Requires any electronic instant bingo system approved for use in Ohio to include an internal report management system that records</p>

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<p>Requires the system to track all information required by the chapter of the Revised Code governing gambling and by rules adopted by the Attorney General under that chapter.</p> <p>Requires the system to have the capability to monitor all electronic instant bingo devices used in Ohio in real time and to remotely deactivate any such device. <i>(R.C. 2915.083(C).)</i></p> <p>No provision.</p> <p>No provision.</p>	<p>information concerning the operation of the system and that meets the requirements adopted by the Attorney General by rule under the Administrative Procedure Act.</p> <p>Requires the internal report management system to permit the Attorney General or the Attorney General’s designee to access the internal report management system, monitor the electronic instant bingo system in real time, and remotely deactivate the electronic instant bingo system or any aspect of the system.</p> <p>Allows the Attorney General to establish and maintain, or contract with another person to establish and maintain, a centralized report management system that interfaces in real time with the internal report management system of every electronic instant bingo system in use in Ohio.</p> <p>Requires the centralized report management system to have the capability to monitor all electronic instant bingo systems in use in Ohio in real time and to remotely deactivate any electronic instant bingo system or any aspect of such a system. <i>(R.C. 2915.15(B).)</i></p> <p>Permits the 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 chapter of the Revised Code governing gambling and with the rules adopted under that chapter.</p> <p>Specifies that if the Attorney General determines that any person or any electronic instant bingo system is in violation of any provision of that chapter or of any rule adopted under that chapter, the Attorney General may order that the violation immediately cease and may deactivate the electronic instant bingo system or any aspect of it using the centralized report management system. <i>(R.C. 2915.15(C).)</i></p> <p>Allows the Attorney General to establish by rule adopted under the Administrative Procedure Act an annual fee to be paid by distributors</p>

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	<p>who have electronic instant bingo distributor endorsements to their licenses in order to pay the cost of monitoring and inspecting electronic instant bingo systems.</p> <p>Requires all fees the Attorney General receives under the bill to approve and inspect electronic instant bingo systems to be deposited in the Charitable Law Fund and used for the purposes specified under the bill. <i>(R.C. 109.32 and 2915.15(D).)</i></p>
<b>Other changes to the Bingo Law</b>	
No provision.	Clarifies that punch board games are a part of instant bingo and not a separate form of bingo. <i>(R.C. 2915.01(O)(2), (Y), and (BB).)</i>
No provision.	Clarifies that a charitable organization does not need a bingo license to conduct a raffle. <i>(R.C. 2915.08(A); see also R.C. 2915.092, not in the bill.)</i>
No provision.	Eliminates a requirement that a youth athletic park organization's playing fields have been used for at least 100 days during a given year in order for the organization to obtain a bingo license. <i>(R.C. 2915.01(Y) and 2915.08(A)(2)(j).)</i>
No provision.	Allows the Attorney General to refuse to grant a license to a charitable organization, or to revoke or suspend the organization's 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. <i>(R.C. 2915.08(F)(3).)</i>
No provision.	Requires a bingo license to specify whether it is a Type I (traditional bingo), Type II, or Type III license, in addition to other information required by continuing law. <i>(R.C. 2915.08(I).)</i>
No provision.	Allows the Attorney General or a law enforcement agency to examine the accounts and records of any officer, agent, trustee, member, or



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	<p>employee of a charitable organization, in addition to examining the charitable organization's accounts and records as permitted under continuing law.</p> <p>Permits the Attorney General or a law enforcement agency to do any of the following with respect to a bingo distributor or manufacturer or any officer, agent, trustee, member, or employee of the bingo distributor or manufacturer:</p> <ul style="list-style-type: none"> <li>▪ Investigate the person;</li> <li>▪ Examine the person's accounts and records;</li> <li>▪ Conduct inspections of the premises where bingo supplies are manufactured or distributed.</li> </ul> <p>Specifies that, if a law enforcement agency has reasonable grounds to believe that a bingo distributor or manufacturer or an officer, agent, trustee, member, or employee of the bingo distributor or manufacturer has violated any provision of the chapter of the Revised Code governing gambling, the agency may commence a court action to enforce that chapter, so long as the agency gives the Attorney General written notice of the action.</p> <p>Prohibits any person from destroying, altering, concealing, withholding, or denying access to any accounts or records of a bingo distributor or manufacturer that have been requested for examination.</p> <p>Prohibits any person from obstructing, impeding, or interfering with any inspection, audit, or observation of premises where bingo supplies are manufactured or distributed. <i>(R.C. 2915.10(H) and (I).)</i></p>