

AMVETS

Department of Ohio

Mid-Winter Conference 2022



State of Ohio

E-BINGO

OAC Rules & ORC Laws

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Ohio Administrative Code

Rule 109:1-3-01 Definitions.

Effective: [December 23, 2021](#)

As used in Chapters 109: 1-3 to 109: 1-7 of the Administrative Code:

(A) "Affiliate" means any entity or organization that is affiliated with another entity or organization by direct or indirect common ownership, officers or control, including any parent companies and subsidiaries.

(B) "Central Server" means a manufacturer's computer equipment that houses the operating system, supporting hardware, electronic gaming application software, communications network system, and databases required for electronic instant bingo operations, and stores and manages electronic instant bingo data between electronic gaming locations. The central server must be located in Ohio in a secure location accessible to the attorney general.

(C) "Director" or "Trustee" means a member of the governing body of a licensed organization, licensed distributor, or licensed manufacturer, but only if the member has any voting rights. Members of advisory boards that do not exercise any governance authority are not considered directors or trustees.

(D) "Electronic Instant Bingo Device" means a device approved by the attorney general that electronically displays instant bingo. An electronic instant bingo device may be a cabinet-style device or a handheld and portable tablet.

(E) "Electronic Instant Bingo Operator" means the primary person(s) with access to electronic bingo game machines and anyone handling cash, or with key access or bank account access for electronic instant bingo.

(F) "Key Employee" means a person that has the ability to control, or exercise significant influence over, the management, assets, or operating policies of a charitable organization or any manufacturer or distributor. Key employee includes, but is not limited to, officers, directors, trustees, electronic



instant bingo operators, primary bingo game operators, and principal persons of charitable organizations, manufacturers, and distributors.

(G) "Licensed Distributor" means a person licensed by the attorney general under Chapter 2915. of the Revised Code as a distributor.

(H) "Licensed E-Bingo Organization" means a veterans organization or fraternal organization licensed to conduct electronic instant bingo.

(I) "Licensed Manufacturer" means a person licensed by the attorney general under Chapter 2915. of the Revised Code as a manufacturer.

(J) "Licensed Organization" means an organization licensed by the attorney general under Chapter 2915. of the Revised Code to conduct type I, type II, and/or type III bingo.

(K) "Officer" means a person elected or appointed to manage the daily operations of a licensed organization, licensed distributor, or licensed manufacturer, such as a president, vice president, secretary, or treasurer. The officers of an organization may be determined by reference to its organizing documents, bylaws, or resolutions of its governing body, but in all cases include those officers required by applicable state law.

(L) "Primary Bingo Game Operator" means the person(s) who has overall supervision and management authority of bingo conducted at each and every location and will be responsible for holding, operating, and conducting these bingo activities in accordance with the license and the provisions of Chapter 2015. of the Revised Code and this chapter. At least one person must assume these responsibilities for each location.

(M) "Principal Person of Charitable Organization" means the person who has overall responsibility of the charitable organizations activities.



Ohio Administrative Code

Rule 109:1-5-01 Requirements for any organization that conducts electronic instant bingo.

Effective: December 23, 2021

The attorney general may conduct a background investigation of any organization that conducts electronic instant bingo and request information on each key employee. The organization shall provide all documentation, assurances, consents, waivers, or other information requested by the attorney general on a form or forms prescribed by the attorney general.



Ohio Administrative Code

Rule 109: 1-5-02 Requirements for manufacturers to receive electronic instant bingo endorsement.

Effective: December 23, 2021

The attorney general may conduct, or cause to be conducted, a background investigation of a manufacturer and request information on each key employee and person owning five percent or more of a direct or indirect financial interest in the manufacturer and its affiliates. A manufacturer shall provide all documentation, assurances, consents, waivers, or other information requested by the attorney general on a form or forms prescribed by the attorney general.



Ohio Administrative Code

Rule 109: 1-5-03 Requirements for distributors to receive electronic instant bingo endorsement.

Effective: [December 23, 2021](#)

The attorney general may conduct, or cause to be conducted, a background investigation of a distributor and request information on each key employee and person owning five percent or more of a direct or indirect financial interest in the distributor and its affiliates. A distributor shall provide all documentation, assurances, consents, waivers, or other information requested by the attorney general on a form or forms prescribed by the attorney general.



Ohio Administrative Code

Rule 109: 1-5-04 Location and number of electronic instant bingo participant devices.

Effective: December 23, 2021

(A)The number of electronic instant bingo devices at a time shall not exceed ten at the single licensed location per organization.

(B)The organization shall limit the sale of electronic instant bingo to its own premises and to its own members and invited guests.



Ohio Administrative Code

Rule 109: 1-5-05 Times when electronic instant bingo may be offered.

Effective: [December 23, 2021](#)

(A) No organization may conduct electronic instant bingo on any day of the week or during any time period not specified on its license.

(B) No organization may sell electronic instant bingo tickets before ten a.m. or after two a.m. and the sale of electronic instant bingo tickets must be limited to no more than twelve hours during any day.



Ohio Administrative Code Rule 109: 1-5-06 Signage requirements.

Effective: [December 23, 2021](#)

The following must be prominently posted, adequately lighted, legible, and visible at every location at which electronic instant bingo is conducted:

- (A) Organization name and license;
 - (B) Ohio problem gambling helpline number;
 - (C) Statement that illegal gambling is prohibited;
 - (D) Statement that a player may play only one electronic instant bingo device at a time;
 - (E) Statement that a player must be eighteen or older to play electronic instant bingo;
 - (F) Any materials or information directed to be posted by the attorney general.
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Ohio Administrative Code

Rule 109: 1-5-07 Device and system specifications.

Effective: [December 23, 2021](#)

(A) All electronic instant bingo systems and associated game software must be approved by the attorney general for use in Ohio and comply with all technical and testing standards adopted by the attorney general as appendix A to this rule and as made available on the attorney general website.

(B) An electronic instant bingo concept not contemplated under the technical and testing standards adopted by the attorney general in this rule will be reviewed on a case-by-case basis by the attorney general.



Ohio Administrative Code

Rule 109:1-5-08 Fees for electronic instant bingo endorsement for manufacturers.

Effective: [December 23, 2021](#)

(A) Any person desiring to obtain an electronic instant bingo endorsement as described in division (E) of section 2915.082 of the Revised Code shall pay to the attorney general an annual fee of ten thousand dollars. This fee shall not be refundable.

(B) If the cost of conducting the background investigation or processing the manufacturers application for an electronic instant bingo endorsement exceeds ten thousand dollars, the attorney general may charge the applicant an additional fee as necessary to cover the cost. No electronic instant bingo endorsement shall be issued unless the attorney general has received payment for all fees.



Ohio Administrative Code

Rule 109:1-5-09 Fees for electronic instant bingo endorsement for distributors.

Effective: [December 23, 2021](#)

Any person desiring to obtain an electronic instant bingo endorsement as described in division (F) of section 2915.081 of the Revised Code shall pay to the attorney general an annual fee of ten thousand dollars for an electronic instant bingo endorsement to that license. This fee shall not be refundable.



Ohio Administrative Code

Rule 109:1-5-10 Fees for monitoring and inspecting electronic instant bingo system for distributors.

Effective: [December 23, 2021](#)

In addition to the endorsement fee, a distributor shall pay an annual fee to the attorney general for the cost of monitoring electronic instant bingo and inspecting each electronic bingo system. During the first year the distributor holds an electronic instant bingo endorsement, the fee shall be ten thousand dollars. For each renewal application for an electronic instant bingo endorsement the fee for monitoring and inspecting shall be ten thousand dollars plus a pro-rata fee based on the gross revenue from the previous year.



Ohio Administrative Code Rule 109:1-5-11 Bonds.

Effective: [December 23, 2021](#)

The bond required by division (B)(2) of section 2915.081 of the Revised Code must be filed with the attorney general upon applying for or renewing a license or endorsement.



Ohio Administrative Code

Rule 109:1-5-12 Electronic Instant Bingo Seal.

Effective: [December 23, 2021](#)

The seal of the attorney general required by division (A)(4) of section 2915.15 of the Revised Code may be an electronic seal, and shall be in a form and displayed in a manner as prescribed by the attorney general.



Ohio Administrative Code Rule 109:1-5-13 Central Server Reports.

Effective: [December 23, 2021](#)

(A) Electronic instant bingo system manufacturers must ensure that the required central server reports as outlined in the technical standards of [appendix A to this rule] are readily and easily accessible for viewing and printing by the office of the attorney general. The game information terminology (e.g. gross proceeds, prizes, adjusted gross proceeds) used on the required system generated reports for electronic instant bingo games must be identical to the terminology used in Chapter 2915. of the Revised Code and any rules promulgated thereunder.

(B) A manufacturer, at the request of an organization, distributor, or for any other reason, may not modify data stored within the electronic instant bingo system that affects the accounting and reporting of electronic bingo device activity. A manufacturer must immediately notify the office of attorney general if the manufacturer identifies a problem with an operating electronic bingo system that relates to the collection, storing, or reporting of electronic bingo game play activity at a site.



Ohio Administrative Code

Rule 109:1-5-14 Quarterly Report Requirements for Veteran and Fraternal Organizations Conducting Electronic Instant Bingo.

Effective: [December 23, 2021](#)

In addition to the other records required to be kept by Chapter 2915. of the Revised Code and any rules promulgated thereunder, all licensed e-bingo organizations shall file a quarterly report with the attorney general upon a form prescribed by the attorney general. The report will require electronic instant bingo records to be kept and reported separately.



Ohio Administrative Code Rule 109:1-5-15 Quarterly Report Requirements for Manufacturers with Electronic Instant Bingo Endorsements.

Effective: December 23, 2021

All manufactures with electronic instant bingo endorsements shall file a report with the attorney general within ten days of the close of each quarter upon a form prescribed by the attorney general. The report will require electronic instant bingo records to be kept and reported separately from any other reports required to be filed with the attorney general.



Ohio Administrative Code

Rule 109: 1-5-16 Application for electronic bingo endorsement for manufacturers and distributors.

Effective: December 23, 2021

(A) The endorsement application must contain the following information:

- (1) Applicant's legal name, any other names used, the legal nature of the business (sole proprietorship, partnership, limited liability company, or corporation), Ohio tax identification number, and federal employer identification number;
- (2) Business address, telephone number, and mailing address, if different than the business address;
- (3) Names and titles of the key employees of the applicant and persons owning five percent or more of a direct or indirect financial interest in the applicant and its affiliates, persons who supervise sales employees in Ohio, any person who installs, maintains, updates, or repairs an electronic instant bingo system in Ohio, and persons or entities with a direct or indirect financial interest of five percent or more in the applicant;
- (4) Identification of any person who or entity that develops or provides electronic instant bingo systems and associated game software to the applicant;
- (5) Copies of licensing agreements with other entities for all software, except for operating system software, and hardware developed specifically for the purpose of conducting electronic instant bingo. Operating system software agreements must be maintained by the applicant, be current, and be available to the attorney general upon request. In addition, the electronic instant bingo manufacturer must, upon request, provide documentation establishing that it has the intellectual property rights to the entire game application software and system;
- (6) Address and telephone number of each facility where gambling equipment is manufactured;
- (7) A list of all other states or jurisdictions where the applicant is currently licensed;



(8) Date and signature of the chief executive officer, president, or functional equivalent; and

(9) Additional information that may be required by the attorney general to properly identify the applicant and ensure compliance with sections 2915.081 and 2915.082 of the Revised Code.

(B) The applicant must attach the following items to the application: A personnel form, in a format prescribed by the attorney general, completed by each key employee of the applicant; persons who supervise sales employees in Ohio; persons who make sales trips to Ohio or contacts distributors or organizations in Ohio for sales of electronic instant bingo devices or systems; any person who installs, maintains, updates, or repairs an electronic instant bingo device or system in Ohio; and any person or entity with a direct or indirect financial interest of five percent or more in the applicant and its affiliates.

(1) The personnel form must include:

(a) applicant's name and license number, if issued;

(b) name and address, date of birth, social security number, and daytime telephone number of the person;

(c) person's position with the manufacturer or distributor;

(d) businesses the person has held any ownership interest in during the past ten years (except for publicly traded companies unless the ownership interest is ten per cent or more);

(e) employment history for the last ten years;

(f) date and signature of the person;

(g) additional information that may be required by the attorney general to properly identify the person and ensure compliance with sections 2915.081 and 2915.082 of the Revised Code.



(C)The applicant shall make available for inspection by the Attorney General, an organizational chart illustrating the applicants management structure, including all subsidiaries and affiliated entities .

(D)Applicants with at least one million dollars in revenue shall make available for inspection by the attorney general, three years of audited financials. Applicants with revenue less than one million dollars shall make available for inspection by the attorney general, three years of tax returns for the most recent filing years.



Ohio Administrative Code

Rule 109: 1-5-17 Requirements for Electronic Instant Bingo Deals.

Effective: [December 23, 2021](#)

(A) Each deal must be made up of a fixed number of electronic instant bingo tickets not to exceed a maximum of twenty-five thousand tickets.

(B) Electronic instant bingo tickets shall not be commingled.



Ohio Administrative Code

Rule 109: 1-5-18 Electronic Instant Bingo Operator.

Effective: [December 23, 2021](#)

Each licensed e-bingo organization shall designate at least one member of the organization to serve as an electronic instant bingo operator. Electronic instant bingo operators may be subject to an additional background check by the attorney general.



Ohio Administrative Code

Rule 109: 1-5-19 Application Designee.

Effective: [December 23, 2021](#)

Each licensed e-bingo organization shall designate a member in good standing of the organization to complete and submit its application to obtain a bingo license. The application to conduct bingo shall not be completed or submitted by anyone outside the organization including but not limited to the contracted charity, distributor, manufacturer, or any other third party.



Ohio Administrative Code Rule 109:1-5-20 Separate Accounts.

Effective: [December 23, 2021](#)

(A)Licensed e-bingo organization shall keep all proceeds from the sale of electronic instant bingo in a checking account devoted exclusively to the organizations electronic instant bingo activities. The checking account shall be with a financial institution with a physical presence and licensed to do business in Ohio.

(B)The licensed e-bingo organization shall make all required charitable distributions directly from the checking account devoted exclusively to electronic instant bingo into an account at an Ohio bank which shall be in the name of the charitable organization with which the organization conducting electronic instant bingo has contracted. The contracted charity's bank account shall be with a financial institution with a physical presence and licensed to do business in Ohio.

(C)The licensed e-bingo organization shall have sole and exclusive control of all withdrawals from the checking account referenced in paragraph (A) of this rule. No distributor, manufacturer, contracted charity, or any other third party shall be given the authority to initiate withdrawals of any deposited funds from the account.



Ohio Administrative Code Rule 109:1-5-21 Internal Control Standards.

Effective: December 23, 2021

(A) Each licensed e-bingo organization shall establish, maintain and update an internal control system, the purposes and the procedures of which shall be designed to reasonably insure that:

(1) Critical assets associated with the operation of the electronic instant bingo system are safeguarded;

(a) An organization shall maintain custody of all keys to an electronic instant bingo device. The keys for the lock for a device's outer door must be keyed differently than the inner compartment that houses the computer logic and currency validator stacker area.

(b) An electronic instant bingo device may not be reserved. A device may be held for an active player for no more than fifteen minutes.

(c) An organization or employee may not modify the assembly or operational functions of an electronic instant bingo device.

(2) Financial records are accurate and reliable;

(3) Transactions are performed only in accordance with the specific or general authorization of the electronic instant bingo operator(s);

(a) An organization that conducts electronic instant bingo shall maintain a separate cash register for all monies associated with electronic instant bingo. All monies shall be locked and secured in a safe devoted exclusively to electronic instant bingo.

(b) Access to the cash register, safe and electronic instant bingo operations shall be limited to the electronic instant bingo operator(s) listed on the organizations license application or amendment submitted to the attorney general.



(c)After the close of business on the last day of every month, an organization is required to separate its starting cash bank amount from the total cash contained in the cash register and to deposit the excess cash into its designated electronic instant bingo account within four days.

(d)If at any time during the month the proceeds of electronic instant bingo exceeds two thousand dollars over the starting cash bank, the excess must be deposited into the designated bank account within four days.

(4)Electronic instant bingo transactions are recorded adequately to permit proper reporting of gross and net revenue, to determine charitable distributions, prize payments, allowable expenses and to maintain accountability for assets;

(5)Access to electronic instant bingo system assets is permitted only by authorized personnel; An organization shall maintain an access log prescribed by the attorney general for each electronic instant bingo device. A person who accesses a device shall record the reason for access and date and initial the log. An organization shall retain the log in the device.

(6)Recorded accountability for electronic instant bingo assets must be compared with actual assets at reasonable intervals and appropriate action taken with respect to any discrepancies;

(7)A ticket voucher is only valid and must be presented for redemption within twenty-four hours of the end of the bingo session in which it was won, as listed on the licensed organizations license;

(8)The organization immediately shall shut down an electronic instant bingo system and notify the attorney general if it detects or discovers any defect, malfunction, or problem with an electronic instant bingo operating system, electronic instant bingo device, or electronic instant bingo game that affects the security or the integrity of the game. The organization shall also immediately notify the distributor or manufacturer of the defect, malfunction, or problem.

(9)An organization may not



(a) Knowingly redeem a ticket voucher that has been defaced, tampered with, or counterfeited. If a player attempts to redeem a voucher that has been defaced, tampered with, or counterfeited, the organization, if possible, shall retain and void the credit ticket voucher;

(b) Knowingly redeem a ticket voucher that was issued at another site or a voucher that was issued prior to the bingo session at which it is presented for redemption. If a player attempts to redeem a voucher that was issued prior to the bingo session in which it was presented for redemption, the organization, if possible, shall retain and void the credit ticket voucher;

(c) Modify the assembly or operational functions of an electronic instant bingo device.

(10) Electronic instant bingo is conducted with integrity; and

(11) Chapter 2915. of the Revised Code and rules of the attorney general are followed.

(B) The internal control procedures must be in writing and available to the attorney general upon request. The attorney general may, in writing, approve, deny, or require a revision to any provision or proposed amendment to the internal control systems. If the licensed e-bingo organization is notified of a required revision, the licensed e-bingo organization must work with the attorney general to address the revision;

(C) If the attorney general requests additional information, clarification, or revision of any proposed amendment to an internal control and the licensed e-bingo organization fails to satisfy the request within thirty days after the attorney general's request, the attorney general shall consider the amendment denied and it cannot be implemented. If the licensed e-bingo organization subsequently wants to pursue the amendment, it must resubmit the request along with the additional information previously requested by the attorney general.

(D) In the event of an emergency, the licensed e-bingo organization may temporarily amend an internal control procedure. The attorney general must be notified that an emergency exists before temporarily amending an internal control procedure.

(E) A licensed e-bingo organization must submit the temporary emergency amendment of the



internal control system to the attorney general within twenty-four hours of the amendment.

(F)The submission must include the detailed emergency procedures that will be implemented and the time period the emergency procedures will be temporarily in place. Any concerns the attorney general has with the submission must be addressed with the licensed e-bingo organization.

(G)If the attorney general determines that the administrative or accounting procedures or internal control systems of the licensed e-bingo organization do not comply with the requirements of these rules or requires improvement, the attorney general shall notify the licensed e-bingo organization in writing. Within fifteen days after receiving the notification, the licensed e-bingo organization must amend its procedures accordingly and must submit, for attorney general approval, a copy of the internal control system, as amended, and a description of any other remedial measure taken.

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Ohio Revised Code

Section 2915.14 Illegal electronic instant bingo conduct.

Effective: [September 30, 2021](#)

Legislation: [House Bill 110 - 134th General Assembly](#)

(A) No charitable organization shall conduct electronic instant bingo unless all of the following are true:

(1) The organization is a veteran's organization described in division (J) of section 2915.01 of the Revised Code, or is a fraternal organization described in division (L) of section 2915.01 of the Revised Code, and the organization qualified as a veteran's organization or fraternal organization, as applicable, on or before June 30, 2021.

(2) The organization is a veteran's organization described in subsection 501(c)(4) of the Internal Revenue Code or is, and has received from the internal revenue service a determination letter that is currently in effect stating that the organization is, exempt from federal income taxation under subsection 501(a), and is described in subsection 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code.

(3) The organization has not conducted a raffle in violation of division (B) of section 2915.092 of the Revised Code using an electronic raffle machine, as described in *Ohio Veterans and Fraternal Charitable Coalition v. DeWine*, Case No. 13-CV-13610 (C.P. Franklin Co. February 23, 2018), at any time on or after January 1, 2022.

(B) No charitable organization that conducts electronic instant bingo shall do any of the following:

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

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

(3) Hold more than one valid license to conduct electronic instant bingo at any one time;



- (4) Conduct electronic instant bingo on more than one premises or on any premises other than the charitable organization's principal place of business;
- (5) Operate more than ten electronic bingo systems at the premises on which the charitable organization conducts electronic instant bingo under its license;
- (6) Fail to display both of the following conspicuously at the premises on which the charitable organization conducts electronic instant bingo:
 - (a) The charitable organization's bingo license;
 - (b) The serial number of each deal of electronic instant bingo tickets being sold.
- (7) Permit any person the charitable organization knows, or should have known, to be under eighteen years of age to play electronic instant bingo;
- (8) Sell or provide to any person an electronic instant bingo ticket for a price different from the price displayed on the game flare for that deal, except that the charitable organization may give a participant who wins an electronic instant bingo game an electronic instant bingo ticket as a prize in place of a cash prize;
- (9) Fail, once an electronic instant bingo deal is begun, to continue to sell tickets in that deal until all prizes have been awarded;
- (10) Permit any person whom the organization knows, or should have known, has been convicted of a felony or gambling offense in any jurisdiction to be a bingo game operator in the conduct of electronic instant bingo;
- (11) Permit a bingo game operator to play electronic instant bingo;
- (12)(a) Except as otherwise provided in division (B)(12)(b) of this section, pay compensation to a bingo game operator for conducting electronic instant bingo.



(b) Division (B)(12)(a) of this section does not prohibit an employee of a veteran's organization or fraternal organization from redeeming electronic instant bingo tickets or vouchers for the organization's members or invited guests, so long as no portion of the employee's compensation is paid from any bingo receipts.

(13) Pay consulting fees to any person in relation to electronic instant bingo.

(C) No person shall sell, offer to sell, or otherwise provide or offer to provide an electronic instant bingo system to any person for use in this state unless the electronic instant bingo system has been approved under section 2915.15 of the Revised Code.

(D) The attorney general shall adopt rules under Chapter 119. of the Revised Code to ensure the integrity of electronic instant bingo, including, but not limited to, rules governing all of the following:

(1) The requirements to receive a license or endorsement to conduct electronic instant bingo;

(2) The location and number of electronic instant bingo systems in use, which shall not exceed ten at the single licensed location per organization;

(3) The times when electronic instant bingo may be offered;

(4) Signage requirements in facilities where electronic instant bingo is offered;

(5) Electronic instant bingo device and system specifications, including reveal features and game themes;

(6) Procedures and standards for the review, approval, inspection, and monitoring of electronic instant bingo systems, as described in section 2915.15 of the Revised Code;

(7) Procedures and standards for the review and approval of any changes to technology, systems, or games licensed or permitted under this chapter;



(8) The fees to be charged under section 2915 .15 of the Revised Code for review, approval, inspection, and monitoring of electronic instant bingo systems;

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

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



Ohio Revised Code

Section 2915.15 Approval, inspection, removal from service of electronic instant bingo system.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

(A)(1) Before selling, offering to sell, or otherwise providing or offering to provide an electronic instant bingo system to any person for use in this state, a manufacturer shall submit the electronic instant bingo system to an independent testing laboratory that is licensed by the state lottery commission under section 3770.02 of the Revised Code, or that is certified under section 3772.31 of the Revised Code, for testing and evaluation to determine whether the electronic instant bingo system meets the requirements of this chapter and of rules adopted under this chapter. The manufacturer shall pay all costs of that testing and evaluation.

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

(3) The attorney general shall approve the system for use in this state if the attorney general determines that the electronic instant bingo system meets the requirements of this chapter and of the rules adopted under this chapter. The attorney general shall consult the Ohio casino control commission for assistance in determining whether an electronic instant bingo system is prohibited for use under this chapter on the ground that it is a slot machine.

(4) An electronic instant bingo system shall be verified and sealed by the attorney general before the electronic instant bingo system is placed into service.

(5) Before an electronic instant bingo system is removed from service, the attorney general's seal



shall be removed by the attorney general's designee. If the seal is removed after an electronic instant bingo system is sealed by the attorney general but before the electronic instant bingo system is placed into service, or if the seal is removed before an electronic instant bingo system is removed from service, or if the seal is removed by someone other than the attorney general's designee, the electronic instant bingo system shall be returned to an independent testing laboratory described in division (A)(1) of this section.

(B) Any electronic instant bingo system approved for use in this state shall have a central server located in Ohio which is accessible to the attorney general and shall include an internal report management system that records information concerning the operation of the system and that meets the requirements adopted by the attorney general by rule under Chapter 119. of the Revised Code. The internal report management system shall permit the attorney general or another person designated by the attorney general to access the internal report management system, monitor the electronic instant bingo system, and remotely deactivate the electronic instant bingo system or any aspect of the system.

(C) The attorney general may inspect any electronic instant bingo system in use in this state at any time to ensure that the system is in compliance with this chapter and with the rules adopted under this chapter. If the attorney general determines that any person or any electronic instant bingo system is in violation of any provision of this chapter or of any rule adopted under this chapter, the attorney general may order that the violation immediately cease and may deactivate the electronic instant bingo system or any aspect of it.

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