



# DAVE YOST

OHIO ATTORNEY GENERAL

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April 9, 2024

TO: All Bingo Manufacturers, Distributors, and Licensed Charitable Organizations

RE: Consideration for Bingo Supplies

This letter serves as a reminder of the Attorney General's position on consideration paid in exchange for bingo supplies. Under O.R.C. 2915.081(E)(5), "No distributor shall knowingly solicit, offer, pay, or receive any kickback, bribe, or undocumented rebate, directly or indirectly, overtly or covertly, in cash or in kind, in return for providing bingo supplies to any person in this state." "Bingo Supplies" means bingo cards or sheets; instant bingo tickets or cards; electronic bingo aids; raffle tickets; punch boards; seal cards; instant bingo ticket dispensers; electronic instant bingo systems; and devices for selecting or displaying the combination of bingo letters and numbers or raffle tickets. O.R.C. 2915.01(Z). Additionally, "Other than a charitable donation to a licensed organization, a manufacturer or distributor may not give a gift, trip, prize, or other gratuity valued singly or in the aggregate of one hundred dollars or more per calendar year to a licensed organization." O.A.C. 109:1-7-01(A).

Consideration given by a distributor to a bingo licensee in exchange for bingo supplies is not a charitable donation. Rather, this arrangement constitutes a quid pro quo which may rise to the level of a kickback, bribe, or undocumented rebate. This includes cash or in-kind consideration, regardless of naming convention used by the distributor. All distributors must immediately discontinue any practices involving misidentifying quid pro quo payments as charitable donations.

Charitable organizations licensed to conduct bingo may still accept legitimate charitable donations. Indicia of a legitimate charitable donation include, but are not limited to: (1) payment of the donation completely separate from any arrangement to purchase bingo supplies, and (2) deposit of the donation by the charitable organization into a designated account used for charitable purposes rather than a general operating or bingo account.

The Attorney General reserves all rights to suspend, place limits, restrictions, or probationary conditions on, or revoke any license or endorsement issued under R.C. Chapter 2915 and the rules adopted thereunder, where appropriate.

Please contact the Charitable Law Section with any questions or concerns.

Very respectfully yours,  
DAVE YOST  
OHIO ATTORNEY GENERAL

A handwritten signature in blue ink, appearing to read "Daniel W. Fausey".

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Daniel W. Fausey  
Chief, Charitable Law Section