

CHAPTER 517
Gambling

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CROSS REFERENCES

See sectional histories for similar State law

Lotteries prohibited; exception - see Ohio Const., Art. XV, Sec. 6

Contributing to delinquency of minors - see Ohio R. C. 2151.41

Search warrants - see Ohio R. C. 2933.21(E)

517.01 DEFINITIONS.

As used in this chapter:

- (a) "Bookmaking" means the business of receiving or paying off bets.
- (b) "Bets" means the hazarding of anything of value upon the result of an event, undertaking or contingency, but does not include a bona fide business risk.
- (c) "Scheme of chance" means a lottery, numbers game, pool or other scheme in which a participant gives a valuable consideration for a chance to win a prize.
- (d) "Game of chance" means poker, craps, roulette, a slot machine, a punch board or other game in which a player gives anything of value in the hope of gain, the outcome of which is determined largely or wholly by chance.
- (e) "Scheme or game of chance conducted for profit" means any scheme or game of chance designed to produce income for its backer, promoter or operator, but does not include any scheme or game of chance designed to produce income sole for charitable purposes when the entire net income after deduction of necessary expenses is applied to such purposes.
- (f) "Gambling device" means:
 - (1) A book, totalizer or other equipment for recording bets;
 - (2) A ticket, token or other device representing a chance, share or interest in a scheme of chance, or evidencing a bet;
 - (3) A deck of cards, dice, gaming table, roulette wheel, slot machine, punch board or other apparatus designed for use in connection with a game of chance;
 - (4) Any equipment, device, apparatus or paraphernalia specially designed for gambling purposes.
- (g) "Gambling offense" means any of the following:
 - (1) A violation of Sections 517.02 to 517.05 or Ohio R. C. 2915.02 to 2915.06;
 - (2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States substantially equivalent to any section listed in subsection (g)(1) hereof.

- (3) An offense under an existing or former municipal ordinance or law of this or any other state or the United States, of which gambling is an element;
- (4) A conspiracy or attempt to commit, or complicity in committing an offense under subsection (g)(1), (2) or (3) hereof.
(ORC 2915.01)

517.02 GAMBLING.

(a) No person shall:

- (1) Engage in bookmaking, or knowingly engage in conduct which facilitates bookmaking;
- (2) Establish, promote or operate, or knowingly engage in conduct which facilitates any scheme or game of chance conducted for profit;
- (3) Knowingly procure, transmit, exchange or engage in conduct which facilitates the procurement, transmission or exchange of, information for use in establishing odds or determining winners in connection with bookmaking or with any scheme or game of chance conducted for profit;
- (4) Engage in betting or in playing any scheme or game of chance as a substantial source of income or livelihood;
- (5) With purpose to violate subsection (a)(1), (2), (3) or (4) hereof, acquire, possess, control or operate any gambling device.

(b) For purposes of subsection (a)(1) hereof, a person facilitates bookmaking if he in any way knowingly aids an illegal bookmaking operation, including without limitation placing a bet with a person engaged in or facilitating illegal bookmaking. For purposes of subsection (a)(2) hereof, a person facilitates a scheme or game of chance conducted for profit if he in any way knowingly aids the conduct or operation of any such scheme or game, including without limitation playing any such scheme or game.

(c) This section does not prohibit conduct in connection with gambling expressly permitted by law.

(d) Whoever violates this section is guilty of gambling, a misdemeanor of the first degree, if the offender has not previously been convicted of a gambling offense.
(ORC 2915.02)

517.03 OPERATING A GAMBLING HOUSE.

(a) No person, being the owner or lessee, or having custody, control or supervision of premises, shall:

- (1) Use or occupy such premises for gambling in violation of Section 517.02;
- (2) Recklessly permit such premises to be used or occupied for gambling in violation of Section 517.02;

(b) Whoever violates this section is guilty of operating a gambling house, a misdemeanor of the first degree, if the offender has not previously been convicted of a gambling offense.

(c) Premises used or occupied in violation of this section constitute a nuisance subject to abatement pursuant to Ohio R.C. Chapter 3767.
(ORC 2915.03)

517.04 PUBLIC GAMING.

(a) No person, while at a hotel, restaurant, tavern, store, arena, hall or other place of public accommodation, business, amusement or resort shall make a bet or play any game of chance.

(b) No person, being the owner or lessee, or having custody, control or supervision of a hotel, restaurant, tavern, store, arena, hall or other place of public accommodation business, amusement or resort shall recklessly permit such premises to be used or occupied in violation of subsection (a) hereof.

(c) This section does not prohibit conduct in connection with gambling expressly permitted by law.

(d) Whoever violates this section is guilty of public gaming, a minor misdemeanor. If the offender has previously been convicted of any gambling offense, public gaming is a misdemeanor of the fourth degree.

(e) Premises used or occupied in violation of subsection (b) hereof constitute a nuisance subject to abatement pursuant to Ohio R.C. Chapter 3767.
(ORC 2915.04)

517.05 CHEATING.

(a) No person, with purpose to defraud or knowing that he is facilitating a fraud, shall engage in conduct designed to corrupt the outcome of:

- (1) The subject of a bet;
- (2) A contest of knowledge, skill, speed, strength or endurance;
- (3) A scheme or game of chance.

(b) Whoever violates this section is guilty of cheating, a misdemeanor of the first degree, if the potential gain from cheating is less than one hundred fifty dollars (\$150.00) or if the offender has not previously been convicted of any gambling offense or of any other offense as defined in Section 545.01.

(ORC 2915.05)

517.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)