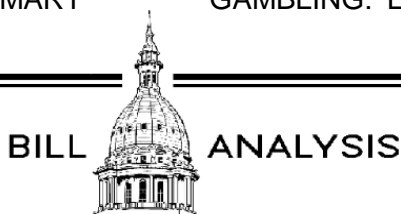




Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 6114 (Substitute H-2 as passed by the House)

Sponsor: Representative David Jaye

House Committee: Regulatory Affairs

Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 12-4-96

CONTENT

The bill would amend the Michigan Penal Code to specify that Chapter 44 of the Code, which regulates gambling, would not apply to a bowling game conducted in a bowling center if the total amount of the participation fee per person per game did not exceed \$5 and the total prize payout per league per game did not exceed \$1,000; prohibit the bowling center in which the bowling game was conducted from receiving a percentage of the participation fees or prize money from bowling games for which a stake or prize was awarded; and specify the conditions under which a senior citizens club or residents of a senior citizen housing facility could play recreational card games.

“Bowling center” would mean a bowling alley with a minimum of five lanes. “Bowling game” would include, but would not be limited to, mystery game, red pin, and strike ball. Bowling game would not include a mechanical or electronic simulation of a bowling game. “Participation fee” would mean a fee that was charged by the league to a participant in a game for which a stake or prize was awarded.

The prize and participation fee limitation would have to be adjusted annually with the rate of inflation using the Detroit Consumer Price Index, defined in the bill as the most comprehensive index of consumer prices available for the Detroit area from the United States Department of Labor, Bureau of Labor Statistics.

The bill also would allow recreational card playing to be conducted by a senior citizens club or a group of residents of a senior citizen housing facility, which club or group consisted of at least 15 members who were 60 years of age or older only under all of the following circumstances:

- The card playing was conducted solely for the amusement and recreation of the members and guests of the club or group and was not conducted for fund-raising.
- Only bona fide members and employees of the club or group participate in the conduct of the activity.
- The card playing was conducted after 9 a.m. and before midnight.
- The participating cardplayers bet not more than \$.25 per bet.
- The winnings from one hand of cards did not exceed \$5.

- Except for winnings, revenue generated from the activity was used for reasonable expenses incurred in conducting the card playing, and no person was compensated for participating in the conduct of the card playing.
- The wholesale value of a prize, toy, or novelty awarded for the successful single play of a game could not be more than \$3.75.
- The redemption value of coupons, or other representations of value awarded for the successful single play of a game, could not exceed 15 times the amount charged for a single play of the game or \$3.75, whichever was less. Players, however, could accumulate such coupons, or other representations of value for redemption for noncash merchandise, toys, or novelties of a greater value.
- A redemption game specifically excluded 1) games such as roulette, beano, cards, dice, wheels of fortune, video poker, slot machines, and other games in which winning depended primarily on fortuitous or accidental circumstances beyond the control of the player, and 2) a game that included a mechanical or physical device that directly or indirectly impaired or thwarted the skill of the player.

The bill would take effect January 1, 1997.

Proposed MCL 750.310a

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The State fiscal impact would be a decrease in revenue associated with the loss of penalties collected for the elimination of the specified violations. This bill would have no fiscal impact on local units of government.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.