



# HOUSE BILL No. 4332

February 7, 1995, Introduced by Reps. Randall, McBryde, Profit, Alley, Pitoniak and DeMars and referred to the Committee on Regulatory Affairs.

A bill to amend sections 372 and 375 of Act No. 328 of the Public Acts of 1931, entitled as amended "The Michigan penal code," being sections 750.372 and 750.375 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 372 and 375 of Act No. 328 of the  
2 Public Acts of 1931, being sections 750.372 and 750.375 of the  
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 372. (1) ~~Lotteries and gift enterprises~~ Any EXCEPT  
5 AS OTHERWISE PROVIDED BY LAW OR IN THIS SECTION, A person ~~who~~  
6 shall ~~set~~ NOT DO ANY OF THE FOLLOWING:

7 (A) SET up or promote within this state any lottery or gift  
8 enterprise for money. ~~, or shall dispose~~

1 (B) DISPOSE of any property, real or personal, goods,  
2 chattels, ~~or~~ merchandise, or valuable thing ~~—~~ by the way of  
3 lottery or gift enterprise. ~~—, and any person who shall aid~~

4 (C) AID, either by printing or writing, or ~~shall~~ in any  
5 way be concerned in the setting up, managing, or drawing of any  
6 ~~such~~ lottery or gift enterprise. ~~—, or who shall in~~

7 (D) IN any house, shop, or building owned or occupied by him  
8 OR HER or under his OR HER control, knowingly permit the setting  
9 up, managing, or drawing of any ~~such~~ lottery or gift enter-  
10 prise, or KNOWINGLY PERMIT the sale of any lottery ticket or  
11 share of a ticket, or any other writing, certificate, bill,  
12 goods, chattels, ~~or~~ merchandise, token, or other device pur-  
13 porting or intended to entitle the holder or bearer or other  
14 person to any prize or gift ~~—~~ or ~~to~~ any share of or interest  
15 in any prize or gift to be drawn in any ~~such~~ lottery or gift  
16 enterprise. ~~—, or who shall knowingly suffer~~

17 (E) KNOWINGLY ALLOW money or other property to be raffled  
18 ~~for~~ OFF in ~~such~~ A house, shop, or building ~~—~~ OWNED OR OCCU-  
19 PIED BY HIM OR HER or ALLOW MONEY OR OTHER PROPERTY to be ~~there~~  
20 won by throwing or using dice ~~—~~ or by any other game or course  
21 of chance. ~~—, shall for every such offense be~~

22 (2) SUBSECTION (1) DOES NOT APPLY TO A LOTTERY OR GIFT  
23 ENTERPRISE CONDUCTED BY A PERSON AS A PROMOTIONAL ACTIVITY THAT  
24 IS CLEARLY OCCASIONAL AND ANCILLARY TO THE PRIMARY BUSINESS OF  
25 THAT PERSON IF THE LOTTERY OR GIFT ENTERPRISE DOES NOT INVOLVE  
26 THE PAYMENT OF MONEY SOLELY FOR THE CHANCE OR OPPORTUNITY TO WIN  
27 A PRIZE.

1 (3) A PERSON VIOLATING SUBSECTION (1) IS guilty of a  
2 misdemeanor ~~or~~ punishable by imprisonment ~~in the state prison~~  
3 OF not more than 2 years or by a fine of not more than ~~1,000~~  
4 ~~dollars~~ \$1,000.00.

5 Sec. 375. (1) ~~Advertising, printing, etc., lottery tickets~~  
6 ~~or gift enterprises Any~~ EXCEPT IN THE CASE OF A LOTTERY OR GIFT  
7 ENTERPRISE CONDUCTED PURSUANT TO SECTION 372(2), A person ~~who~~  
8 shall NOT advertise, print, or publish any lottery ticket or gift  
9 enterprise ~~or~~ or any share in ~~any such~~ A LOTTERY ticket ~~or~~  
10 for sale either by himself OR HERSELF or by another person. ~~or~~  
11 ~~who~~

12 (2) A PERSON shall NOT set up or exhibit ~~or~~ or ~~shall~~  
13 devise and make for the purpose of being set up and exhibited ~~or~~  
14 any sign, symbol, or any emblematic or other representation of a  
15 lottery or gift enterprise ~~or~~ or of ~~the~~ ITS drawing ~~thereof,~~  
16 in any way indicating where a lottery ticket or a share  
17 ~~thereof,~~ IN A LOTTERY TICKET or any such writing, certificate,  
18 bill, goods, merchandise or chattels, token, or other device ~~or~~  
19 ~~before mentioned,~~ may be purchased or obtained ~~or~~ AND shall  
20 NOT in any way invite or entice, or attempt to entice, any other  
21 person to purchase or receive the ~~same, he shall be~~ LOTTERY  
22 TICKET OR A SHARE IN A LOTTERY TICKET.

23 (3) A PERSON VIOLATING THIS SECTION IS guilty of a misde-  
24 meanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A  
25 FINE OF NOT MORE THAN \$100.00, OR BOTH.