

SENATE BILL NO. 573

June 5, 1997, Introduced by Senators BOUCHARD, GEAKE and
SHUGARS and referred to the Committee on Gaming and Casino
Oversight.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding sections 309a and 309b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 309A. (1) A PERSON SHALL NOT KNOWINGLY CONDUCT OR
2 ALLOW GAMBLING ON A WATERCRAFT ON WATERS WITHIN THE JURISDICTION
3 OF THIS STATE DURING AN EXCURSION THAT BOTH EMBARKS AND DISEM-
4 BARKS AT A POINT WITHIN THIS STATE.

5 (2) AS USED IN THIS SECTION, "WATERCRAFT" MEANS ANY CONTRIV-
6 ANCE USED OR DESIGNED FOR NAVIGATION ON WATER.

7 (3) A PERSON WHO VIOLATES THIS ACT IS GUILTY OF A FELONY
8 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS, A FINE OF
9 \$5,000.00, OR BOTH.

10 SEC. 309B. (1) A PERSON SHALL NOT DO EITHER OF THE
11 FOLLOWING:

1 (A) OFFER ON-LINE GAMBLING TO RESIDENTS OF THIS STATE.

2 (B) TRANSMIT MONEY OR CREDIT TO A RESIDENT OF THIS STATE AS
3 A RESULT OF AN ON-LINE GAMBLING TRANSACTION.

4 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
5 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS, A FINE OF
6 NOT MORE THAN \$10,000.00, OR BOTH.

7 (3) AS USED IN THIS SECTION:

8 (A) "COMPUTER" MEANS AN ELECTRONIC DATA PROCESSING SYSTEM,
9 COMPOSED OF 1 OR MORE COMPONENTS, THAT UTILIZES STORAGE AND PRO-
10 CESSING MECHANIZATION AND HAS A DIRECT AUTOMATIC MEANS OF INPUT
11 AND OUTPUT, INCLUDING, BUT NOT LIMITED TO, CENTRAL PROCESSING
12 UNITS, DATA INPUT/OUTPUT CHANNELS, MAIN STORAGE OR MEMORY, AND
13 PERIPHERAL DEVICES FOR SYSTEMS CONTROL, DATA INPUT, OUTPUT, OR
14 TEMPORARY OR PERMANENT STORAGE OF INFORMATION, AND ASSOCIATED
15 REUSABLE MEDIA REQUIRED BY THESE DEVICES AND OPERATING SYSTEMS
16 SOFTWARE.

17 (B) "ON-LINE GAMBLING" MEANS THE MAKING, PLACING, OR RECEIPT
18 VIA COMPUTER OF ANY WAGER OF MONEY OR OTHER THING OF VALUE, MADE
19 IN EXCHANGE FOR A CHANCE TO WIN A PRIZE, STAKE, OR OTHER CONSID-
20 ERATION OR THING OF VALUE, DEPENDENT UPON THE RESULT OF ANY GAME,
21 CONTEST, OR ANY OTHER EVENT THE OUTCOME OF WHICH IS UNCERTAIN,
22 WHETHER THE GAME, CONTEST, OR OTHER EVENT OCCURS INSIDE OR OUT-
23 SIDE OF THIS STATE.

24 (C) "PERSON" MEAN AN INDIVIDUAL, CORPORATION, LIMITED
25 LIABILITY COMPANY, PARTNERSHIP, FIRM, ORGANIZATION, ASSOCIATION,
26 GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY.