

Act No. 539  
Public Acts of 1996  
Approved by the Governor  
January 10, 1997  
Filed with the Secretary of State  
January 14, 1997

**STATE OF MICHIGAN**  
**88TH LEGISLATURE**  
**REGULAR SESSION OF 1996**

Introduced by Reps. Jaye, Whyman, Palamara, Crissman, Jamian, Rhead, Weeks, Porreca, Gire, Berman, Olshove, Harder, Curtis, Dobronski, DeHart, Tesanovich, Kelly, LaForge, Prusi, Brater, Baade, Brewer, Jersevic, London, Yokich, Galloway, Willard, Gubow, Kaza and Ryan  
Reps. Agee, Alley, Anthony, Bennane, Bodem, Bush, Clack, Dobb, Dolan, Gagliardi, Hammerstrom, Johnson, Law, McManus, McNutt, Middaugh, Owen, Parks, Pitoniak, Profit, Schermesser, Scott, Varga, Vaughn, Wallace and Wetters named co-sponsors

# **ENROLLED HOUSE BILL No. 6114**

AN ACT to amend Act No. 328 of the Public Acts of 1931, entitled as amended "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding sections 303a, 310a, and 310b.

*The People of the State of Michigan enact:*

Section 1. Act No. 328 of the Public Acts of 1931, as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, is amended by adding sections 303a, 310a, and 310b to read as follows:

Sec. 303a. This chapter does not apply to recreational card playing conducted at a senior citizen housing facility not licensed by the liquor control commission by a senior citizens club or a group of residents of a senior citizen housing facility that consists of at least 15 members who are 60 years of age or older under all of the following circumstances:

(a) The card playing is conducted solely for the amusement and recreation of the members and guests of the club or group and is not conducted for fund-raising. The number of guests participating in the card playing shall not exceed the number of club or group members participating in the card playing.

(b) Only bona fide members and employees of the club or group participate in the conduct of the activity.

(c) The card playing is conducted after 9 a.m. and before midnight.

(d) The participating cardplayers bet not more than 25 cents per bet.

(e) The winnings from 1 hand of cards do not exceed \$5.00.

(f) Except for winnings, revenue generated from the activity is used for reasonable expenses incurred in conducting the card playing, and no person is compensated for participating in the conduct of the card playing.

Sec. 310a. (1) Subject to subsection (3) and except as otherwise provided in subsection (2), this chapter does not apply to a bowling game conducted in a bowling center to which all of the following apply:

(a) The total amount of the participation fee per person per game does not exceed \$5.00.

(b) The total prize payout per league per game does not exceed \$1,000.00.

(2) This section applies only to a game that is sponsored solely by 1 league and whose participants are members of the same league.

(3) The bowling center in which the bowling game is conducted shall not receive a percentage of the participation fees or prize money from bowling games for which a stake or prize is awarded.

(4) As used in this section:

(a) "Bowling center" means a bowling alley with a minimum of 5 lanes.

(b) "Bowling game" means not more than 3 sets of 10 frames of bowling. Bowling game does not include any of the following:

(i) A mechanical or electronic simulation of a bowling game.

(ii) Roulette, beano, cards, dice, wheels of fortune, video poker, slot machines, or other similar games in which winning depends primarily upon fortuitous or accidental circumstances beyond the control of the player.

(iii) A game which includes a mechanical or physical device which directly or indirectly impairs or thwarts the skill of the player.

(c) "Participation fee" means a fee that is charged by the league to a participant in a game for which a stake or prize is awarded.

Sec. 310b. (1) This chapter does not apply to a redemption game if all of the following conditions are met:

(a) The outcome of the game is determined through the application of an element of skill by the player.

(b) The award of the prize is based upon the player's achieving the object of the game or otherwise upon the player's score.

(c) Only noncash prizes, toys, novelties, or coupons or other representations of value redeemable for noncash prizes, toys, or novelties are awarded.

(d) The wholesale value of a prize, toy, or novelty awarded for the successful single play of a game is not more than \$3.75.

(e) The redemption value of coupons or other representations of value awarded for the successful single play of a game does not exceed 15 times the amount charged for a single play of the game or \$3.75, whichever is less. However, players may accumulate coupons or other representations of value for redemption for noncash prizes, toys, or novelties of a greater value up to, but not exceeding, \$250.00 wholesale value.

(2) As used in this section, "redemption game" means a single player or multi-player mechanical, electronic, or manual amusement device involving a game, the object of which is throwing, rolling, bowling, shooting, placing, propelling, or stopping a ball or other object into, upon, or against a hole or other target. Redemption game does not include either of the following:

(a) Games such as roulette, beano, cards, dice, wheels of fortune, video poker, slot machines, or other games in which winning depends primarily upon fortuitous or accidental circumstances beyond the control of the player.

(b) A game that includes a mechanical or physical device which directly or indirectly impairs or thwarts the skill of the player.

Section 2. This amendatory act shall take effect January 1, 1997.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.