

Legislative Analysis



ALLOW RECREATIONAL CARD PLAYING AT SENIOR CITIZEN CENTERS

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House Bill 5009

Sponsor: Rep. Pete Lund

Committee: Regulatory Reform

Complete to 10-10-11

A SUMMARY OF HOUSE BILL 5009 AS INTRODUCED 9-27-11

The bill would extend an exception to gambling laws that allows card playing at a senior citizen housing facility so that it would also apply to a senior citizen's center.

With exceptions, Chapter XLIV (Gambling) of the Michigan Penal Code prohibits gambling and establishes penalties for violating the act. Section 303a of the Code provides an exception for recreational card playing conducted at **a senior citizen housing facility** that is not licensed by the Liquor Control Commission, by a senior citizens club or a group of residents containing at least 15 members who are 60 years of age or older, provided all the following are met:

- a) The card playing is conducted solely for amusement and recreation and not for fund-raising. The number of guests playing cannot exceed the number of club members playing.
- b) Only bona fide members and employees of the club conduct the activity.
- c) The card playing is conducted after 9 a.m. and before midnight.
- d) Players cannot bet more than 25 cents per bet.
- e) The winnings from any one hand of cards do not exceed \$5.
- f) Except for winnings, revenue generated from the activity is used for reasonable expenses incurred in conducting the card game, and no person is compensated for participating in the conduct of card playing.

House Bill 5009 would extend the exception to include a "**senior citizen's center**" operated by a "group of senior citizens" that consists of at least 15 individuals who are at least 60 years of age or older. The bill would also allow participating card players to pay up to \$5 to buy into the card playing.

MCL 750.303a

FISCAL IMPACT:

House Bill 5009 would not have a significant fiscal impact on the state budget. The fine for operating or assisting in the operation of a gaming room, table, or party is \$1,000.00. The bill amends the current exemption of Section 303 of the Michigan Penal Code for a "senior citizen housing facility" operated by a "group of residents of a senior citizen

housing facility" to include a "senior citizen's center" operated by a "group of senior citizens." Data is not available for the number of persons convicted for violating Section 303 of the Penal Code, or more specifically, for groups of senior citizens at a senior citizen's center convicted of violating Section 303. It is assumed, however, that the number of convictions, and thus amount of fines paid, is minimal.

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