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BILL



ANALYSIS

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House Bill 5009 (Substitute H-4 as passed by the House)
Sponsor: Representative Pete Lund
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 5-17-12

CONTENT

The bill would amend Chapter 44 (Gambling) of the Michigan Penal Code to do the following:

- **Allow recreational card playing at nonresidential senior citizen's centers, in addition to senior citizen housing facilities.**
- **Delete a requirement that a senior citizen group consist of at least 15 members who are 60 years of age or older, and refer instead to a group of senior citizens all of whom are at least 60.**
- **Require that the card playing be for the amusement and recreation of the group members (rather than members and guests) and not for fund-raising or profit.**
- **Allow only bona fide members, rather than members and employees, of the group to facilitate or participate in the card playing.**
- **Allow participating card players to pay up to \$5 to buy or rebuy into the card playing.**
- **Prohibit any person, except for the participating individuals, from being compensated or making a profit from the card playing or facilitating the card playing.**

Currently, Chapter 44 does not apply to recreational card playing at senior citizen housing facilities. The exemption allows recreational card playing at any senior citizen housing facility that has at least 15 members who are 60 years of age or older and play cards solely for amusement or recreation. The card playing may not be used for fund raising and the number of guests playing cards may not exceed the number of participating members. The facility must not be licensed by the Liquor Control Commission. Only members or employees of the group or club are permitted to conduct the card games. The conductor may not be compensated for conducting the games, and, except for winnings, any revenue generated from the card game must be used to cover expenses. The card playing must be held after 9:00 a.m. and before midnight. The card players may not bet more than 25 cents per bet, and the winnings per hand may not exceed \$5.

Under the bill, the exemption would apply to recreational card playing conducted at a senior citizen housing facility or a senior citizen's center. The card playing would have to be conducted by a group composed of the residents of the facility or members of the center, all of whom were 60 or older.

The card playing would have to be for the amusement or recreation of the members. The card playing could not be for fund-raising or profit, and the number of individuals participating could not exceed the number of group members participating in the card playing. Only bona fide members of the group could facilitate or participate in the card playing.

In addition to betting up to 25 cents per bet, participants could pay not more than \$5 to buy or rebuy into the card playing.

Except for winnings, revenue generated from card games would have to be used for reasonable actual expenses incurred in conducting the card playing, and, except for the individuals participating in the card playing, no person could be compensated or make a profit from the conduct of the playing cards or facilitating the card playing, including providing the facility in which the card playing was conducted.

"Senior citizen housing facility" would mean a facility that provides residential housing restricted to individuals who are 60 or older. "Senior citizen's center" would mean a facility established or funded by a local unit of government for the use and benefit of individuals who are 60 or older.

MCL 750.303a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dan O'Connor

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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.