

# HOUSE BILL No. 5886

September 15, 2016, Introduced by Reps. Garcia, Kelly, McBroom, Johnson, Rendon, Tedder, Iden and Singh and referred to the Committee on Commerce and Trade.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 310b (MCL 750.310b), as amended by 2010 PA 219.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

8           (c) Only noncash prizes, toys, novelties, or coupons or other  
9 representations of value redeemable **AT THE LOCATION WHERE THE GAMES**  
10 **ARE PLAYED** for noncash prizes, toys, or novelties are awarded. A  
11 gift card may be awarded under this subdivision if all of the

1 following apply:

2 (i) The gift card is usable only at ~~a retailer or an~~  
3 ~~affiliated group of retailers.~~ **THE LOCATION WHERE THE GAMES WERE**  
4 **PLAYED.**

5 (ii) The gift card is issued in a specified amount **BY THE**  
6 **BUSINESS WHERE THE GAMES WERE PLAYED.**

7 (iii) The gift card is redeemable only for goods and services  
8 available from the ~~retailer or retailers~~ **BUSINESS** and ~~not for~~  
9 **CANNOT BE CONVERTED TO** cash, **INCLUDING THE GIVING OF CHANGE FOR A**  
10 **PURCHASE.**

11 (iv) Information on the gift card may not be altered with the  
12 use of a personal identification number.

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

15 (e) The redemption value of coupons or other representations  
16 of value awarded for the successful single play of a game does not  
17 exceed 15 times the amount charged for a single play of the game or  
18 a \$3.75-per-play average, whichever is less. However, players may  
19 accumulate coupons or other representations of value for redemption  
20 for noncash prizes, toys, or novelties of a greater value up to,  
21 but not exceeding, \$500.00 wholesale value.

22 **(F) THE GAME IS REGISTERED WITH THE MICHIGAN GAMING CONTROL**  
23 **BOARD.**

24 (2) As used in this section: ~~"redemption~~

25 **(A) "GIFT CARD" MEANS A WRITTEN PROMISE OR ELECTRONIC PAYMENT**  
26 **DEVICE THAT IS HONORED UPON PRESENTATION AND IS USABLE FOR THE**  
27 **FUTURE PURCHASE OR DELIVERY OF GOODS AND SERVICES. GIFT CARD DOES**

1 NOT INCLUDE A GENERAL USE, PREPAID CARD, OR OTHER ELECTRONIC  
2 PAYMENT DEVICE THAT IS ISSUED OR SPONSORED BY A FINANCIAL  
3 INSTITUTION SUCH AS A BANK, SAVINGS AND LOAN ASSOCIATION, CREDIT  
4 UNION, MONEY TRANSMITTER, OR SIMILAR ENTITY.

5 (B) "REDEMPTION game" means a single player or multiplayer  
6 mechanical, electronic, or manual amusement device involving a  
7 game, the object of which is throwing, rolling, bowling, shooting,  
8 placing, propelling, or stopping a ball or other object into, upon,  
9 or against a hole or other target. Redemption game does not include  
10 either of the following:

11 (i) ~~(a)~~—A game such as roulette, beano, cards, dice, wheel of  
12 fortune, video poker, a slot machine, or another game in which  
13 winning depends primarily upon fortuitous or accidental  
14 circumstances beyond the control of the player.

15 (ii) ~~(b)~~—A game that includes a mechanical or physical device  
16 that directly or indirectly impairs or thwarts the skill of the  
17 player.

18 (C) "REGISTERED" MEANS THAT THE OWNER OF THE LOCATION WHERE  
19 THE GAME IS LOCATED NOTIFIES THE MICHIGAN GAMING CONTROL BOARD OF  
20 THE PRESENCE OF THE GAME AT A PARTICULAR LOCATION AND PROVIDES THE  
21 SERIAL NUMBER OR OTHER INFORMATION REQUESTED BY THE MICHIGAN GAMING  
22 CONTROL BOARD. A GAME IS NOT CONSIDERED REGISTERED IF IT IS IN A  
23 LOCATION OTHER THAN THE LOCATION PROVIDED TO THE MICHIGAN GAMING  
24 CONTROL BOARD.