

COMPULSIVE GAMING PREVENTION ACT

Act 70 of 1997

AN ACT to create the compulsive gaming prevention fund; to impose duties on certain licensed entities; to prescribe the duties of certain state officials; and to impose penalties.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

The People of the State of Michigan enact:

432.251 Short title.

Sec. 1. This act shall be known and may be cited as the “compulsive gaming prevention act”.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

432.252 Definitions.

Sec. 2. As used in this act:

- (a) “Casino” means a building in which gaming is conducted.
- (b) “Casino licensee” means a person who is licensed to operate a casino under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.216.
- (c) “Michigan gaming control board” means the Michigan gaming control board created in the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.20 to 432.216.
- (d) “Pathological gambler” means an individual with a severe, persistent, and recurrent maladaptive gambling behavior that disrupts personal, family, or vocational pursuits.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

Compiler's note: In subdivision (c), the citation to “432.20 to 432.216” evidently should read “432.201 to 432.216.”

432.253 Compulsive gaming prevention fund; creation; disposition; distributions; investment; credit of interest and earnings; lapsed funds; fees for addiction treatment.

Sec. 3. (1) The compulsive gaming prevention fund is created within the department of treasury.

(2) All of the following shall be deposited in the compulsive gaming prevention fund:

- (a) The money appropriated from the state services fee fund created in section 12a of the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.212a, for the compulsive gaming prevention fund.
- (b) A percentage of the net revenue in the state lottery fund created in section 41 of the McCauley-Traxler-Law-Bowman-McNeely lottery act, 1972 PA 239, MCL 432.41, that is equal to not less than 10% of each year's state lottery advertising budget but not to exceed \$1,000,000.00.
- (c) A percentage of the Michigan agriculture equine industry development fund created in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320, that is equal to 1/10 of 1% of the gross wagers made each year in each of the racetracks licensed under the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

(3) Of the money available in the compulsive gaming prevention fund, up to \$1,040,000.00 may be distributed annually to the domestic violence and treatment board created in section 2 of 1978 PA 389, MCL 400.1502. The remaining money in the compulsive gaming prevention fund shall be distributed as determined by the director of community health to be used exclusively for the treatment, prevention, education, training, research, and evaluation of pathological gamblers and their families and to fund the toll-free compulsive gaming helpline number.

(4) The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(5) Money remaining in the compulsive gaming prevention fund at the close of the fiscal year shall remain in the compulsive gaming prevention fund and shall not lapse to the general fund.

(6) The department of community health may establish fees for the treatment of pathological gambling addictions.

History: 1997, Act 70, Imd. Eff. July 17, 1997;—Am. 2008, Act 282, Imd. Eff. Sept. 29, 2008.

432.254 Distribution of funds; authorization; use.

Sec. 4. The director of the department of community health, after consulting with the racing commissioner, the commissioner of the state lottery, and the chairperson of the Michigan gaming control board, shall authorize the distribution of funds from the compulsive gaming prevention fund to be used exclusively for the treatment, prevention, education, training, research, and evaluation of pathological gamblers and their families.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

432.255 Funding levels; changes; submission of results and recommendations; assessment of fee on casinos licensed under MCL 432.201 to 432.216.

Sec. 5. (1) The results of funded studies and recommendations for any changes in funding levels shall be submitted to the racing commissioner, the commissioner of the state lottery, the chairperson of the Michigan gaming control board, the chairs of the senate and house committees on gaming issues, the senate and house of representatives appropriations committees and the director of the department of community health.

(2) If the director of the department of community health determines that the money in the compulsive gaming prevention fund is inadequate to fund the services, programs, or research required under this act, the Michigan gaming control board may assess a fee on each of the 3 casinos licensed under the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.216, that will equal the additional amount needed to adequately fund the services, programs, and research required under this act.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

432.256 Public funds for treatment of pathological gamblers; legislative intent.

Sec. 6. It is the intent of the legislature to preserve the funds appropriated for the department of community health for the treatment of individuals pursuant to the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106. Therefore, public funds for the treatment of pathological gamblers shall be taken exclusively from the compulsive gaming prevention fund.

History: 1997, Act 70, Imd. Eff. July 17, 1997.

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