

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.372 Lotteries and gift enterprises; prohibited acts; applicability of subsection (1); “promotional activity” defined; violation as misdemeanor; penalty.

Sec. 372. (1) Except as otherwise provided by law or in this section, a person shall not do any of the following:

- (a) Set up or promote within this state any lottery or gift enterprise for money.
- (b) Dispose of any property, real or personal, goods, chattels, merchandise, or valuable thing by the way of lottery or gift enterprise.
- (c) Aid, either by printing or writing, or in any way be concerned in the setting up, managing, or drawing of a lottery or gift enterprise.
- (d) In a house, shop, or building owned or occupied by him or her or under his or her control, knowingly permit the setting up, managing, or drawing of any lottery or gift enterprise, or knowingly permit the sale of any lottery ticket or share of a ticket, or any other writing, certificate, bill, goods, chattels, merchandise, token, or other device purporting or intended to entitle the holder or bearer or other person to any prize or gift or any share of or interest in any prize or gift to be drawn in any lottery or gift enterprise.
- (e) Knowingly allow money or other property to be raffled off in a house, shop, or building owned or occupied by him or her or allow money or other property to be won by throwing or using dice or by any other game or course of chance.

(2) Subsection (1) does not apply to a lottery or gift enterprise conducted by a person as a promotional activity that is clearly occasional and ancillary to the primary business of that person. As used in this subsection, "promotional activity" means an activity that is calculated to promote a business enterprise or the sale of its products or services, but does not include a lottery or gift enterprise involving the payment of money solely for the chance or opportunity to win a prize or a lottery or gift enterprise that may be entered by purchasing a product or service for substantially more than its fair market value.

(3) A person violating subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or by a fine of not more than \$1,000.00.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.372;—Am. 1996, Act 206, Imd. Eff. May 21, 1996.

Former law: See section 1 of Ch. 160 of R.S. 1846, being CL 1857, § 5891; CL 1871, § 7735; How., § 9331; CL 1897, § 11344; CL 1915, § 15050; CL 1929, § 16613; and Act 86 of 1867.