

SFA

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 958

Sponsor: Senator Norman D. Shinkle

Committee: Regulatory Affairs

Date Completed: 5-23-90

JUN 28 1990

SUMMARY OF SENATE BILL 958 as introduced 5-15-90:

The bill would amend the Occupational Code to allow a real estate broker or salesperson to use, for any purpose, a "game promotion" as defined in, and in compliance with, Section 372a of the Michigan Penal Code.

Section 372a defines "game promotion" as any game or contest in which elements of chance and prizes are present, but in which the element of consideration is not present. Section 372a prohibits the forcing or coercing of a lessee, agent, or franchise dealer to purchase game promotions; prohibits a person from conducting a game promotion that predetermines the identity of any individual entitled to receive a prize; and provides that any person who conducts a game promotion must disclose to participants the geographic area or number of outlets in which the game is proposed to be conducted, a description of each type of prize, the minimum number and amount of cash prizes to be made available, and the minimum number of each other type of prize to be made available.

Currently, under the Code, a real estate broker or salesperson is prohibited from using a plan or scheme involving a lottery, contest, game, prize, or drawing for the sale or promotion of a sale of real estate.

MCL 339.2511

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Fiscal Analyst: J. Schultz

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