



HOUSE BILL No. 4477

February 28, 1995, Introduced by Reps. Jaye, Harder, Brewer, Dobb, Walberg, Goschka, Wetters and Dalman and referred to the Committee on Regulatory Affairs.

A bill to amend section 23 of Act No. 239 of the Public Acts of 1972, entitled as amended
"McCauley-Traxler-Law-Bowman-McNeely lottery act,"
being section 432.23 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 23 of Act No. 239 of the Public Acts of
2 1972, being section 432.23 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 23. (1) A license as an agent to sell lottery tickets
5 or shares shall not be issued to any person to engage in business
6 exclusively as a lottery sales agent. Before issuing a license
7 the commissioner shall consider factors such as the financial
8 responsibility and security of the person and his OR HER business
9 or activity, the accessibility of his OR HER place of business or

1 activity to the public, the sufficiency of existing licenses to
2 serve the public convenience, and the volume of expected sales.

3 (2) As used in this section, "person" means an individual,
4 association, corporation, club, trust, estate, society, company,
5 joint stock company, receiver, trustee, referee, any other person
6 acting in a fiduciary or representative capacity who is appointed
7 by a court, or any combination of individuals. Person includes
8 any department, commission, agency, or instrumentality of the
9 state, including any county, city, village, or township and any
10 agency or instrumentality thereof.

11 (3) Notwithstanding any other provision of law, a person
12 licensed pursuant to this act may act as a lottery sales agent.
13 A person lawfully engaged in nongovernmental business on state
14 property may be licensed as a lottery sales agent.

15 (4) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A
16 license is not assignable or transferable. THE COMMISSIONER MAY
17 APPROVE AN APPLICATION FOR A TRANSFER OF LOCATION IF THE COMMIS-
18 SIONER DETERMINES THAT THE TRANSFER WOULD MAXIMIZE NET LOTTERY
19 REVENUES.

20 (5) A licensed agent or his OR HER employee may sell lottery
21 tickets or shares only on the premises stated in the license of
22 the agent.

23 (6) The commissioner may issue temporary licenses upon con-
24 ditions as he ~~deems~~ OR SHE CONSIDERS necessary for a term which
25 shall not extend beyond 1 year after the effective date of this
26 act.

1 (7) The commissioner may require a bond from any licensed
2 agent in an amount as provided in the rules.

3 (8) A licensed agent shall display his OR HER license or a
4 copy thereof conspicuously in accordance with the rules.

5 (9) The commissioner may suspend or revoke the license of
6 any agent who violates this act or a rule promulgated pursuant to
7 this act.