

SUBSTITUTE FOR  
SENATE BILL NO. 422

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending sections 304 and 306 (MCL 750.304 and 750.306).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 304. (1) ~~Selling pools and registering bets--Any~~ A  
2 person or ~~his~~ A PERSON'S agent or ~~employee, who shall,~~  
3 EMPLOYEE SHALL NOT directly or indirectly keep, maintain, oper-  
4 ate, or occupy any building or room or ~~any~~ part ~~thereof~~ OF A  
5 BUILDING OR ROOM or any place with apparatus, books, or ~~any~~ A  
6 device for registering bets or buying or selling pools upon the  
7 result of a trial or contest of skill, speed, or endurance or  
8 upon the result of a game, competition, political nomination,  
9 appointment, or election or any purported event of like character  
10 or ~~who shall~~ register bets or buy or sell pools ~~,~~ or ~~who~~  
11 ~~shall~~ be concerned in buying or selling pools or ~~who shall~~

1 knowingly permit any grounds or premises, owned, occupied, or  
2 controlled by him OR HER to be used for any of the purposes  
3 ~~aforesaid, shall be~~ DESCRIBED IN THIS SECTION.

4 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS guilty of a mis-  
5 demeanor, punishable by imprisonment in the county jail FOR not  
6 more than 1 year or by a fine of not more than ~~500 dollars~~  
7 \$500.00.

8 (3) EXCEPT AS PROVIDED IN SUBSECTION (4), THIS SECTION SHALL  
9 NOT BE CONSTRUED TO PROHIBIT A SPORTS BETTING GAME IN WHICH A  
10 PERSON, WHO IS OVER 21 YEARS OF AGE, WAGERS NOT MORE THAN \$10.00  
11 ON A SPECIFIC SPORTING EVENT. AS USED IN THIS SUBSECTION,  
12 "SPORTS BETTING GAME" MEANS A GAME TO WHICH ALL OF THE FOLLOWING  
13 CONDITIONS APPLY:

14 (A) IT IS A GAME COMPOSED OF SQUARES OF EQUAL DIMENSIONS TO  
15 WHICH THE DIGITS 0 TO 9 ARE RANDOMLY ASSIGNED ABOVE THE TOP ROW  
16 OF SQUARES AND TO THE LEFT OF THE FIRST COLUMN OF SQUARES, OR IT  
17 IS A GAME IN WHICH A PLAYER SELECTS SUCCESSIVE WINNERS IN A  
18 BRACKETED PLAYOFF HIERARCHY.

19 (B) THE OUTCOME DEPENDS UPON THE OUTCOME OF A SEASONAL  
20 SPORTING EVENT, WHICH IS COMPROMISED OF 1 ENTIRE GAME OR 1 ENTIRE  
21 SERIES OF PLAYOFF GAMES COMPLETED BY A PRO-  
FESSIONAL OR COLLEGE-SPONSORED TEAM.

22 (C) THE TOTAL POSSIBLE PAYOUT TO 1 PERSON FOR 1 SPORTING  
23 EVENT IS NOT MORE THAN \$1,000.00.

24 (D) A PERSON WHO CONDUCTS THE GAME RECEIVES NO COMPENSATION  
25 FROM THE PAYOUT FOR CONDUCTING THE GAME.

26 (4) A PERSON WHO IS A MEMBER OF A COLLEGE ATHLETIC TEAM OR  
27 WHO IS AN EMPLOYEE OF A COLLEGE ATHLETIC TEAM SHALL NOT CONDUCT

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1 OR ENGAGE IN A SPORTS BETTING GAME DESCRIBED IN SUBSECTION (3)  
2 THE OUTCOME OF WHICH DEPENDS UPON THE OUTCOME OF A SEASONAL  
3 SPORTING EVENT INVOLVING THE PERSON'S TEAM OR ANOTHER TEAM OF THE  
4 COLLEGE AT WHICH THE PERSON IS A MEMBER OR EMPLOYEE OF A COLLEGE  
5 ATHLETIC TEAM. AS USED IN THIS SUBSECTION:

6 (A) "COLLEGE" MEANS A COMMUNITY COLLEGE OR 4-YEAR COLLEGE OR  
7 UNIVERSITY IN THIS STATE.

8 (B) "EMPLOYEE" MEANS A PERSON WHO IS PAID BY THE COLLEGE TO  
9 COACH OR OTHERWISE ASSIST THE TEAM IN ITS ATHLETIC ENDEAVORS.

10 (C) "MEMBER" MEANS A PERSON WHO IS CARRIED ON A TEAM ROSTER  
11 AT ANY TIME DURING THE PRECEDING YEAR.

(5) A PERSON SHALL NOT ADVERTISE A SPORTS BETTING GAME DESCRIBED IN  
SUBSECTION (3). A PERSON WHO VIOLATES THIS SUBSECTION IS LIABLE TO  
PAY A CIVIL FINE OF NOT LESS THAN \$500.00 OR MORE THAN \$1,000.00.  
AS USED IN THIS SUBSECTION, "ADVERTISE" MEANS ISSUING OR ORDERING  
THE PRINTING OR DISTRIBUTION OF A CARD, SIGN, OR DEVICE OR CAUSING,  
PERMITTING, OR ALLOWING A SIGN OR MARKING ON OR IN A BUILDING OR  
STRUCTURE OR PLACING MATERIAL IN A NEWSPAPER, MAGAZINE, OR DIRECTORY  
OR ON RADIO, TELEVISION, OR THE INTERNET.

12 SEC. 306. (1) ~~Pool tickets, etc., declared nuisance--All~~

13 EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), A policy or pool  
14 ~~tickets, slips or checks, memoranda~~ TICKET, SLIP, CHECK,

15 MEMORANDUM of any combination, or other bet, manifold, or other

16 policy or A pool ~~books or sheets, are~~ BOOK OR SHEET IS hereby

17 declared a common nuisance. ~~and the possession thereof~~ A PERSON

18 WHO POSSESSES AN ITEM DESCRIBED IN THIS SUBSECTION IS GUILTY OF a

19 misdemeanor, punishable by imprisonment in the county jail FOR

20 not more than 1 year or by a fine of not more than ~~500 dollars~~

21 \$500.00.

22 (2) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3),

23 THE possession of ~~any such articles~~ AN ITEM DESCRIBED IN SUB-

24 SECTION (1), or of ~~any other implements~~ ANOTHER IMPLEMENT,

25 apparatus, or ~~materials~~ MATERIAL of ~~any other~~ ANOTHER form of

26 gaming ~~, shall be~~ IS prima facie evidence of ~~their~~ ITS use

27 ~~, by the person having them~~ IT in possession, in the form of

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1 gaming in which like ~~articles~~ ITEMS are commonly used. ~~And~~  
2 ~~such article~~ AN ITEM found upon the person of one lawfully  
3 arrested for violation of ~~any~~ A law relative to lotteries,  
4 policy lotteries or policy, the buying or selling of pools or  
5 registering of bets, or other form of gaming ~~shall be~~ IS compe-  
6 tent evidence upon the trial of ~~an indictment~~ A COMPLAINT to  
7 which it may be relevant.

8 (3) THIS SECTION DOES NOT APPLY TO A CARD, LIST, OR OTHER  
9 ITEM RELATED TO THE CONDUCTING OF A SPORTS BETTING GAME DESCRIBED  
10 IN SECTION 304.