



**House  
Legislative  
Analysis  
Section**

House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

**PROMOTIONAL LOTTERIES**

**House Bill 6488**

**Sponsor: Rep. James Koetje**

**Committee: Gaming and Casino  
Oversight**

**Complete to 11-8-02**

**A SUMMARY OF HOUSE BILL 6488 AS INTRODUCED 1-7-02**

The bill would amend a provision in the Michigan Penal Code (Public Act 328 of 1931) that pertains to promotional lotteries or gift enterprises. Under the Penal Code, a person is prohibited from establishing, engaging, or conducting a lottery or gift enterprise, except as provided by law. However, the code states that the prohibition does not apply to a lottery or gift enterprise conducted by a person as a promotional activity that is occasional and ancillary to the primary business of that person.

The bill would amend this provision to specify that the prohibition would not apply to a lottery or gift enterprise conducted by a person as a promotional activity *for not more than 60 days in a calendar year* (and, again, ancillary to the primary business of that person).

In addition, the bill would delete a provision that states that a “promotional activity” does not include a lottery or gift enterprise that may be entered by purchasing a product or service for substantially more than its fair market value.

Finally, the bill would add that the prohibition applies to a lottery or gift enterprise regardless of whether a purchase is required to participate in the lottery or gift enterprise.

MCL 750.372

House Bill 6488 (11-8-02)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.