

# SENATE BILL NO. 1104

November 13, 2024, Introduced by Senator KLINEFELT and referred to the Committee on Regulatory Affairs.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 301 (MCL 750.301), as amended by 2002 PA 672.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 301. (1) ~~Any~~**Except as otherwise allowed by law, a**  
2   person, ~~or his or her~~**whether acting on the person's own behalf or**  
3   **as an** agent or employee, who, directly or indirectly, takes,  
4   receives, or accepts from any person ~~any~~ money or **a** valuable thing  
5   with the agreement, understanding, or allegation that ~~any~~ money or  
6   **a** valuable thing will be paid or delivered to any person, ~~where~~**if**  
7   the payment or delivery is alleged to be or will be contingent ~~upon~~

1 on the result of ~~any~~ a race, contest, or game or ~~upon~~ on the  
2 happening of ~~any~~ an event not known by the parties to be certain,  
3 is guilty of a misdemeanor punishable by imprisonment for not more  
4 than 1 year or a fine of not more than \$1,000.00.

5 (2) This section does not apply to a game, wager, or other  
6 transaction to which all of the following apply:

7 (a) The transaction is incidental to a bona fide social  
8 relationship.

9 (b) Not more than 100 individuals participate in the  
10 transaction.

11 (c) The maximum total amount wagered by an individual is  
12 \$25.00.

13 (d) Other than the wagers, no other money or thing of value is  
14 paid to participate in the transaction.

15 (e) The entire amount of the wagers is paid to 1 or more  
16 participants as a prize.

17 (f) None of the participants are engaging, directly or  
18 indirectly, in professional gambling.

19 (g) The organizer of the game, wager, or other transaction is  
20 a participant, and the benefit to the organizer is only the  
21 potential to win the same prizes eligible to be won by other  
22 participants.

23 (h) The game, wager, or other transaction does not take place  
24 inside a gambling establishment, restaurant, entertainment venue,  
25 or bar, and is not promoted by a business with the intent to bring  
26 in extra customers to the business.