

§1835-A. Conduct of games of chance

1. Wagers or entry fees; exceptions. The following limits apply to games of chance.

A. The maximum bet for a licensed game of chance is \$5. [PL 2019, c. 117, §4 (AMD).]

B. Notwithstanding paragraph A, if the registrant operates games of chance for less than 3 total days in a calendar year and contributes 100% of the gross revenue from those games of chance to charity, the amount wagered must be limited to:

(1) A \$1 daily entry fee; or

(2) Fifty cents per game. [PL 2019, c. 117, §4 (AMD).]

[PL 2019, c. 117, §4 (AMD).]

2. Games conducted by members and bartenders of registrant only. A game of chance registered pursuant to this chapter must be operated and conducted for the exclusive benefit of the registrant and, except for an Internet raffle conducted by an Internet raffle operator, must be operated and conducted only by duly authorized members of the registrant or by persons employed by the registrant as bartenders. Nonmembers employed by the registrant as bartenders may not operate or conduct any game of chance permitted under subsection 5, paragraph B. The requirements of this subsection do not apply to any agricultural society registered to operate a game of chance.

[PL 2021, c. 136, §7 (AMD).]

3. Games conducted at agricultural fair by members of the agricultural society or a bona fide nonprofit. Games of chance operated and conducted solely by members of an agricultural society or games of chance operated and conducted by members of bona fide nonprofit organizations on the grounds of the agricultural society and during the annual fair of the agricultural society may use cash, tickets, tokens or other devices approved by the Gambling Control Unit by rule.

Notwithstanding any other provision of this section, the tickets, tokens or other devices approved by the Gambling Control Unit must be unique to the agricultural society and may be in denominations of 25¢, 50¢, \$1 or \$5. The tickets, tokens or devices approved by the Gambling Control Unit may be sold and redeemed only by a person who has been a member or active volunteer of the agricultural society for at least 2 fair seasons. The agricultural society has the burden of proof for demonstrating the qualification of members or active volunteers.

An agricultural society that uses tokens shall provide records and reports as required by section 1839. [PL 2019, c. 117, §5 (AMD).]

4. Persons under 18 years of age; exception. Except as provided in section 1837-A, a registrant, game owner or operator may not permit a person under 18 years of age to take part in a game of chance. Notwithstanding any rule to the contrary, upon receiving an application on a form provided by the Gambling Control Unit and a determination by the director that a game of chance licensed to be conducted at a festival-style event is designed to attract players under 18 years of age and awards a nonmonetary prize valued at less than \$10 for every chance played, the Gambling Control Unit may permit:

A. Persons under 18 years of age to conduct or operate the game of chance; and [PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

B. Persons under 18 years of age to play the game of chance without being accompanied by an adult. [PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

Nothing in this subsection permits games of chance to be operated without being registered with the Gambling Control Unit.

[PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

5. Location. A registration for a game of chance must specify the location where the organization may operate the game. A registrant may not operate games of chance in more than one location at the same time.

A. An agricultural society or a bona fide nonprofit organization may operate a game of chance on the grounds of an agricultural society and during the annual fair of the agricultural society. [PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

B. No more than one registrant may operate a game of chance at a time on the same premises. In any room where a registered game of chance is being conducted, there must be at least one member of the organization registered to conduct games of chance present in that room for every 2 nonmembers who are present. That member must have been a member of the registered organization for at least one year. A member of the organization registered to conduct games of chance, either directly or through another member or guest, may not stake or risk something of value in the registrant's game of chance unless the member has been a member of the organization registered to conduct games of chance for at least 14 days not including the day of admission into membership. [PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

A bona fide nonprofit organization may operate a registered game of chance to which the general public has access no more than 4 times in a calendar year for a period not to exceed 4 consecutive days. The game of chance may be operated at any location described in the organization's registration and may be conducted only by members of the registrant. This subsection does not apply to raffles conducted in accordance with section 1837-A.

[PL 2019, c. 117, §6 (AMD).]

6. Door prizes. Distribution of tickets to an event upon which appear details concerning any prize to be given away as a result of a drawing is a game of chance within the meaning of this chapter; a distribution of tickets containing only the words "Door Prize," without further description, is excluded from the provisions of this chapter, as long as no promotional materials or presentations, written or oral, describe the door prize.

[PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

7. "Donation" not to provide an exclusion. The word "donation" printed on a ticket does not exclude the sponsoring organization from complying with this chapter.

[PL 2017, c. 284, Pt. KKKKK, §18 (NEW).]

SECTION HISTORY

PL 2017, c. 284, Pt. KKKKK, §18 (NEW). PL 2019, c. 117, §§4-6 (AMD). PL 2021, c. 136, §7 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 130th Maine Legislature and is current through October 31, 2021. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.