

ONLINE GAMING LAW

U. S. Federal & State Survey

[Last Updated: July 2009]

Notes on Federal Updates:

The most significant recent development in federal law in the online gaming context is the Unlawful Internet Gambling Enforcement Act of 2006 (“UIGEA”), codified at 31 U.S.C. §§ 5361 through 5367. This act prohibits online gambling businesses from receiving deposits from financial institutions. Section 5363 prohibits “person[s] engaged in the business of betting or wagering” from knowingly accepting any credit, electronic funds transfers, checks, drafts, or any other form of financial transaction in connection with the participation of another person in unlawful internet gambling. The statute does not itself define what is and is not unlawful internet gambling, but rather defines “unlawful internet gambling” to mean the transmission of “a bet or wager by any means which involves the use, at least in part, of the Internet where such bet or wager is unlawful under any applicable Federal or State law in the State . . . in which the bet or wager is initiated, received, or otherwise made.” 31 U.S.C. § 5362(10)(A).

“Bet or wager” is defined as “the staking or risking by any person of something of value upon the outcome of a contest of others, a sporting event, or a game subject to chance, upon an agreement or understanding that the person or another person will receive something of value in the event of a certain outcome.” 31 U.S.C. § 5362(1)(A). As in many state statutes, certain forms of online gaming may be excluded from this definition to the extent that the outcome is determined solely by skill, and is not “subject to chance.” Wholly skill-based games thus may not constitute unlawful internet gambling under this chapter, even in states that forbid betting on skill games. Federally, the Attorney General’s office has indicated that online gaming may be federally prohibited by the Wire Act, 18 U.S.C. § 1084, although that statute has generally been enforced only in the context of sports bookmaking. *See, e.g.*, Letter from Michael Chertoff, Assistant Attorney General, to Dennis Neilander, Chairman, Nevada Gaming Control Board (Aug. 23, 2002).

The UIGEA does not purport to change any gambling laws, but rather is intended to facilitate the enforcement of federal and state gambling laws as applied to the internet gambling context. 31 U.S.C. § 5361. As such, the statute probably does not significantly alter the existing legal landscape of online gaming, outside of making the enforcement of existing laws more practicable, and their violation less lucrative.

A bill to amend the UIGEA to legalize and provide a federal licensing scheme for online gaming and gambling activities is currently pending in the House of Representatives. Internet Gambling Regulation, Consumer Protection, and Enforcement Act, H.R. 2267, 111th Cong. (2009). The legislation would continue to defer to state gambling law, licensing online gambling only when “appropriate safeguards to ensure that the individual placing a bet or wager is physically located in a jurisdiction that permits Internet gambling.” H.R. 2267, 111th Cong. § 5383(g) (2009).

Notes on State Laws:

- Standard gambling provisions: unless otherwise noted, state gambling laws generally prohibit wagering money on games of chance, and do not prohibit wagering money on games where skill is a predominant/material determining factor. Any significant variation or more specific reference to this chance/skill dichotomy is mentioned.
- Many states have additional laws not listed here relating to games or contests used to advertise alcoholic beverages and/or real estate (i.e. time shares).
- Some states have additional laws relating to games or contests when offered in connection with sales of consumer goods.
- Many states have statutes invalidating gambling contracts and providing a right of action for return of money lost at illegal gambling.
- Most states have exceptions allowing social gaming, conducted in a private space, where no “house” makes any profit from the game.
- Many states have exceptions allowing gaming or gambling activities conducted by nonprofit/charitable organizations.

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<u>State</u>	<u>Applicable Statutes</u>	<u>Last Amended</u>	<u>Summary of Law</u>
Alabama	Ala. Code §§ 13A-12-20 through 13A-12-31	1979	Gambling is defined as risking something of value on the outcome of a contest of chance, or a future contingent event outside of the player’s control. A contest of chance depends in a material degree on an element of chance, notwithstanding that skill of contestants may also be a factor. However, it is a defense to a charge of gambling that a player was engaged in a social game in a private place.
Alaska	Alaska Stat. 11.66.200 – 11.66.280 (Gambling Offenses) Alaska Stat. Tit. 5, Ch. 15 (Games of Chance and Skill) Alaska Admin. Code Tit. 15, Ch. 160 (Authorized Games of Chance and Skill)		Standard gambling provisions.
Arizona	Ariz. Rev. Stat. §§ 13-3301 through 13-3305	2006	“Amusement gambling” is an exception to the general prohibition against gambling, but to take advantage of the exception or exemption, no benefit may be given to players other than the immediate and unrecorded right to a ‘replay.’ Without the benefit of that exemption, giving something of value for the opportunity to benefit from a contest of skill is gambling within the statute and anyone who promotes or benefits from the same is guilty of a misdemeanor. Registering a bet with respect to any contest or on any unknown future event, for a fee or reward is prohibited.
Arkansas	Ark. Stat. Ann. §§ 5-66-113 4-102-106(b)	2009 1995	Betting anything of value on any game of skill is prohibited. Furthermore, the sponsor may not offer a prize or solicit participation and must provide written notice, in a specific format, with details, among other things, about the sponsor, the value of each prize the person is eligible to receive, the odds of receiving each prize, any requirement to pay to obtain, use or obtain information about a prize, details of all restrictions on receiving the prize, and any limitations on eligibility.
California	Cal. Bus. & Prof. Code §§ 17539.1 17539.15 17539.2 17539.3 17539.35	1985 2008 1974 2006 1994	The statute specifically prohibits advertising, offering or operating any contest in which the opportunity to win a prize is conditioned on a minimum number of entries or contest participants. In addition, aside from disclosing details about the sponsor, value, odds, eligibility requirements and restrictions applicable to receipt of the prize, California has fairly detailed requirements pre- and post-contest activity. At the initial contest solicitation, each pre-contest solicitation and each time payment is required, disclosures are required which, among other things, relate to total numbers of contestants anticipated and percentages of contestants winning (the statute speaks in terms of ‘correctly solving each puzzle’). Contest operators must, on request within 1 year, refund moneys paid by a contestant who, absent their fault, is unable to participate and on request must send participants the names of all winners of the contest and prizes won by each. Also, for at least 2 years following the date all prizes are awarded, contest operator must maintain copies of all solicitations, correspondence sent by and to a contestant, names and addresses of contestants, approximate date each contestant was "sent" each game, number of prizes awarded, method of selecting the winners, names and addresses of winners and facts on which all representations or disclosures made in connection with the contest are based and from which validity of the representations or disclosures can be determined (e.g., no chance was involved?). Although initially targeted at multi-level puzzle contests, and not general skill-based contests,

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			absent inquiry directly with the regulators, the language of the statutes contain no qualification or limitation.
Colorado	C.R.S. §§ 18-10-101 through 18-10-108 (Gambling provisions) C.R.S. §§ 6-1-801 through 6-1-804 (Contests and sweepstakes)	1995 2000	Standard gambling provisions. Bona fide contests of skill, speed, strength, or endurance in which awards are made only to entrants or the owners of entries are excluded from the definition of gambling. (18-10-102) The Consumer Protection Act regulates contests, defined as any game, puzzle, competition, or plan that holds out or offers to prospective participants the opportunity to receive or compete for gifts, prizes, or gratuities as determined by skill or any combination of chance and skill. (C.R.S. § 6-1-802) The act forbids sponsors from requiring a person to pay the sponsor money or any other consideration as a condition of awarding the person a prize, or as a condition of allowing the person to receive, use, compete for, or obtain a prize or information about a prize, and also contains numerous disclosure requirements. (C.R.S. § 6-1-803)
Connecticut	Conn. Gen. Stat. § 42-298 (Advertising games of skill) Conn. Gen. Stat. §§ 53-278a through 53-278g (Gambling provisions)	1996 2003	Advertisement of any game of skill involving an entry fee, where prizes are awarded to the winner and which has a fair market value of over \$200, is prohibited. (§ 42-298) Standard gambling provisions; exempts legal contests of skill, speed, strength or endurance in which awards are made only to entrants or the owners of entries. (§ 53-278a)
Delaware	Del. Code Tit. 11 § 1401 through 1432 (Gambling provisions)	1995	Among other things, Delaware has criminalized the advancement of gambling, which, includes keeping or using any book, device, apparatus or paraphernalia for receiving, recording, or registering bets on the result of any contest of skill. (Tit. 11 § 1403)
D.C.	D.C. Code §§ 22-1701 through 22-1716 (Gambling provisions)		Standard gambling provisions.
Florida	Fla. Stat. § 849.14 § 849.094	1997 2005	Betting or receiving anything of value on any contest of skill, receiving anything of value based upon the result, knowingly becoming the custodian of a bet, or aiding or abetting any of the foregoing is considered gambling – and is illegal. Florida’s game promotion laws only apply in connection with the sale of consumer products or services, and although there have been opinions indicating Florida’s gambling statute was not intended to prohibit purely skill-based contests (even where an entry fee is required to win a prize), unfortunately, other than the broad prohibition contained in the gambling statute, no other exemption for contests is contained in the statute. The terms and conditions of the game promotion must be disclosed legibly in every advertisement for the promotion, but need only include material terms if accompanied by a website or other source where full terms and conditions may be accessed. Additional amendments to this section are pending as of 2009.
Georgia	Ga. Code §§ 16-12-20 through 16-12-38 (Gambling provisions)	2001	Standard gambling provisions. The statute excludes from the definition of “bet” an offer of a prize, award, or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength, or endurance or to the owners of animals, vehicles, watercraft, or aircraft entered in such contest. (§ 16-12-20)
Hawaii	H.R.S. §§ 7-12-1220 through 712-1231 (Gambling provisions)		Standard gambling provisions. (H.R.S. § 712-1220)

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Idaho	Idaho Stat. § 18-3801 through 18-3810 (Gambling provisions)		Standard gambling provisions. (§ 18-3801) Bona fide contests of skill, speed, strength or endurance in which awards are made only to entrants or owners of entrants are excluded from definition of gambling.
Illinois	720 ILCS 5/28-1 815 ILCS 505/2AAA	2000 2009	<p>A person commits gambling when he plays a game of chance or skill for money or other thing of value, with an exception for offers of prizes, award or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance or to the owners of animals or vehicles entered in such contest. (720 ILCS 5/28-1(a); -1(b)(2))</p> <p>However, the definition of gambling also includes the knowing establishment, maintenance, or operation of an Internet site that permits a person to play a game of chance or skill for money or other thing of value by means of the Internet or to make a wager upon the result of any game, contest, political nomination, appointment, or election by means of the Internet. (720 ILCS 5/28-1(a)(12)) The statute does not comment on or clarify the apparent inconsistency between the skill exception in (b)(2) and the inclusion of skill games in the internet context in (a)(12).</p> <p>A new 2009 law requires all “internet gaming service providers” to provide Illinois consumers with a secure method to cancel the service at the provider’s website, without requiring mail or phone calls, and clear instructions on how to do so. The statute defines an “internet gaming service provider” as a person who provides a website that may be accessed by consumers for an automatically renewable fee for the purpose of playing online or downloading a single or multiplayer game. However, providers of online gambling or gaming where the consumer can enter to win money are expressly excluded from the definition of “internet gaming service provider.” (815 ILCS 505/2AAA)</p>
Indiana	IC 35-45-5-1 through 35-45-5-12 (Gambling provisions)	2008	<p>Standard gambling provisions; excludes from the definition of gambling bona fide contests of skill, speed, strength and endurance in which awards are made only to entrants or owners of entrants.</p> <p>It is a felony to knowingly or intentionally use the Internet to engage in unlawful gambling in Indiana, or with a person located in Indiana. (35-45-5-2) The crime of professional gambling is also a felony, and occurs when the operator of a website knowingly or intentionally accepts or offers to accept money used for gambling in Indiana, or operates a website in Indiana or accessible to Indiana residents used for certain enumerated gambling purposes. (35-45-5-3) A person outside Indiana who transmits information on a computer network and who knows or should know that the information is broadcast in Indiana submits to the jurisdiction of Indiana courts for prosecution under this section. (35-45-5-4.5)</p>
Iowa	Iowa Code §§ 99B.18 714B.2(1)(a)	2002 1994	<p>Games of skill may only be conducted if: (i) a bona fide social, employment, trade or professional association relationship exists between sponsors and participants; (ii) sponsor doesn’t receive consideration and no consideration is required to participate; and (iii) only play money or items of no intrinsic value are provided for free.</p> <p>In addition, requiring payment for the right to receive a prize or information about a prize is prohibited unless individuals are given written notice in a specific format, with details, among other things, about the sponsor, the value of each prize the person is eligible to receive and the odds of receiving each prize.</p>
Kansas	K.S.A. §§ 21-4302 (Gambling	1996	Standard gambling provisions; excludes from definition of “bet” offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, or endurance or to

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	provisions) 50-692 (Consumer protection laws; prize notice)	1994	the bona fide owners of animals or vehicles entered in such a contest. (§ 21-4302) Kansas requires each potential participant that may be eligible to receive a prize to receive a written prize notification before any payment is requested or sought (or even a reasonable impression or implication created that such is the case). The notice must be in a specific format and contain details, among other things, about the sponsor, the value of each prize the person is eligible to receive and the odds of receiving each prize. (§ 50-692)
Kentucky	K.R.S. § 528.010	1994	“Gambling” is defined as staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device which is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome. A contest or game in which eligibility to participate is determined by chance and the ultimate winner is determined by skill is not considered gambling. (§ 528.010)
Louisiana	La. Rev. Stat. Ann. §§ 14:90(A)(1)(a) - (b) 14:90.3	1992 1997	Conducting any game or contest as a business in which a person risks anything of value to gain a profit is gambling under Louisiana law and is a criminal offense punishable by a fine and/or imprisonment – this also includes computer services to provide “gambling” over the Internet. Gambling by computer is a crime, and is defined as the intentional conducting, or directly assisting in the conducting as a business of any game, contest, lottery, or contrivance whereby a person risks the loss of anything of value in order to realize a profit when accessing the Internet, World Wide Web, or any part thereof by way of any computer, computer system, computer network, computer software, or any server. (§ 14:90.3)
Maine	17-A M.R.S.A. § 952 through § 961 (Gambling provisions)	2003	“Contest of chance” is defined as any game, contest, scheme or device in which a person risks something of value for the opportunity to win something of value; where the rules or operation of play require an event the result of which is determined by chance outside the control of the participant; and where chance enters as an element that influences the outcome in a manner that cannot be eliminated by the application of skill. Gambling on contests of chance is prohibited. (17-A, § 952)
Maryland	Md. Comm. Code § 13-305 (Consumer protection act; conditional prizes) Md. Crim. Code § 12-101 through 12-113 (Gambling provisions)	1996 2004	Any promotion in which a person is required to pay any money to participate is generally prohibited, although there is an exception for any “skill competition not involving sale promotion efforts.” If a sale promotion is used or planned, the value awarded, although subject to a specific formula contained in the law, cannot be more than \$400. Maryland’s gambling provisions prohibit betting, wagering, or gambling, without specifying any distinction between chance and skill. (Md. Crim. Code § 12-102)
Massachusetts	Ma. St. 271 §§ 1 through 28 (Gambling provisions)		Standard gambling provisions; disposal of property dependent upon or connected with chance, by lot, dice, numbers, hazard, game, or other gambling device is illegal. (271 § 7)
Michigan	Mich. Stat. § 750.301 through 315a (Gambling provisions)		Gambling provisions do not apply to the giving or payment of purses, prizes, or premiums to players in a game or participants in a contest. (§ 750.310)
Minnesota	Minn. Stat. § 325f.755 § 609.75 (Gambling provisions)	1994 2008	In order to allow anyone to participate in a contest or to award any prize in a contest requiring an entry fee, sponsors appear to be required to provide prior written notice in a specific format, with details, among other things, about the sponsor, the value of each prize, the odds of receiving each prize, any requirement to pay to

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			<p>obtain a prize, and any limitations on eligibility.</p> <p>Standard gambling provisions; the statute specifically exempts offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest. (Minn. Stat. 609.75)</p>
Mississippi	Miss. Code 97-33-1 through 97-33-23 (Gambling provisions)		Standard gambling provisions.
Missouri	Mo. Stat. §§ 572.010 through 572.125 (Gambling provisions)		Standard gambling provisions.
Montana	Mt. Code § 23-5-112 (Gambling provisions)	2007	Standard gambling provisions. The term “illegal gambling” expressly includes internet gambling, defined as conduct of any legal or illegal gambling enterprise through the use of communications technology that allows a person using money, paper checks, electronic checks, electronic transfers of money, credit cards, debit cards, or any other instrumentality to transmit to a computer information to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes, or other similar information. (§ 23-5-112)
Nebraska	<p>Neb. Stat. 28-1101 through 28-1113 (Gambling provisions)</p> <p>Neb. Stat § 9-701 (Promotional contests)</p>	1995	<p>A person commits illegal gambling by betting something of value upon the outcome of a future event, which outcome is determined by an element of chance, or upon the outcome of a game, contest, or election. Conducting or participating in a “prize contest” (competition where competitors are awarded something of value for winning or achieving a certain result) is exempted from illegal gambling, but to qualify as a prize contest, the value of awards made to competitors participating in the contest must not depend upon the number of participants in the contest or the amount of consideration paid to participate in the contest, or upon chance. (§ 28-1101)</p> <p>Promotional contests or games in connection with the sale of consumer products and services are permitted, notwithstanding the involvement of an element of chance, but no entry fee or other consideration may be required as a condition of participating or winning a prize. (§ 9-701)</p>
Nevada	<p>N.R.S. § 463.750 through 463.780 (Interactive gaming law)</p> <p>N.R.S. § 463.016425 (Interactive gaming defined)</p>	2001	Nevada passed a statute in 2001 that allows the Nevada Gaming Commission to adopt regulations pertaining to “interactive gaming,” (N.R.S. §463.750) which is defined as the conduct of gambling games through the use of communications technology that allows a person, utilizing money, checks, electronic checks, electronic transfers of money, credit cards, debit cards or any other instrumentality, to transmit to a computer information to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information. (§ 463.016425) “Gambling game” is defined as any game played with cards, dice, equipment or any mechanical, electromechanical or electronic device or machine for money, property, checks, credit or any representative of value. However, it does not appear as though the Commission has yet passed any regulations allowing such licenses.
New Hampshire	N.H. Rev. Stat. § 647:2 (Gambling provisions)		Standard gambling provisions. “Gambling” means to risk something of value upon a future contingent event not under one’s control or influence, upon an agreement or understanding that something of value will be received in the event of a certain outcome.

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New Jersey	N.J. Stat. Ann. § 2A:40-1 (Gambling provisions) § 2C:37-1 (Gambling offenses; definitions)	1982	Standard gambling provisions. Although the definitions of “contest of chance” and “gambling” under the criminal provisions conform with the standard gambling provisions (§ 2C:37-1), the civil statute prohibiting gambling transactions could potentially be interpreted to include skill games, as it does not use either of those specific words. The civil statute makes unlawful “all wagers, bets or stakes made to depend upon any race or game, or upon any gaming by lot or chance, or upon any lot, chance, casualty or unknown or contingent event.” (§ 2A:40-1) The use of “or” in the rest of the clauses after “any race or game” could be interpreted as including skill-based games as well, in which case conducting a skill game would not be a crime, but would be subject to civil penalty.
New Mexico	N.M. Stat. §§ 30-19-1 through 30-19-15 (Gambling provisions)	2002	Standard gambling provisions.
New York	N.Y. Penal Law §§ 225.00 through 225.40 (Gambling provisions)	1994	Standard gambling provisions.
North Carolina	N.C. Stat. § 14-292 (Gambling provisions)	2005	Standard gambling provisions.
North Dakota	N.D.C.C. §§ 53-11-01 through 53-11-05 § 12.1-28-01 (Gambling provisions)	1995 2005	North Dakota requires delivery of a written prize notice to each potential participant in any contest which requires the payment of money as a condition of awarding a prize, or as a condition of allowing a person to receive or compete for a prize, or in any solicitation that creates the impression an entry fee is required. The notification must be in a specific format and contain, among other things, details about the sponsor, the value of each prize, the odds of receiving each prize, the eligibility requirements and restrictions applicable to the receipt of each prize. Standard gambling provisions, with explicit exception for lawful contests of skill, speed, strength and endurance where awards are made only to the entrant or owner of entrant. (§ 12.1-28-01)
Ohio	O.R.C. §§ 2915.01 through 2915.05 (Gambling provisions) §§ 2915.06 & .061 (Skill-based amusement machines)	2007 2007	Standard gambling provisions. (§ 2915.01) “Skill-based amusement machines” are excepted from the statutory prohibition, but only merchandise with a value under \$10 may be awarded as prizes. Any cash or cash-based prizes (i.e. lottery tickets, gift cards, etc.) are prohibited. To qualify as a skill-based amusement machine game, a player’s success may not be determined by a chance event that cannot be altered by player actions or by game features not visible or known to the player. (§§ 2915.01; 2915.06)
Oklahoma	21 Ok. Stat. Ann. § 21-981 (Gambling provisions)	2000	Standard gambling provisions. The statute specifically exempts from the definition of a “bet” offers of purses, prizes or premiums to the actual participants in public and semipublic events, as follows, to wit: Rodeos, animal shows, hunting, fishing or shooting competitions, expositions, fairs, athletic events, tournaments and other shows and contests where the participants qualify for a monetary prize or other recognition. This subparagraph further excepts an entry fee from the definition of “a bet” as applied to enumerated public and semipublic events. (§ 21-981)
Oregon	O.R.S. § 167.117 (Gambling provisions)	2005 2001	Standard gambling provisions. (§ 167.117) It is a felony for any person engaged in an internet gambling business to accept credit, electronic funds transfers, checks or any other form of payment originating from a

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	§ 167.109 (Internet Gambling) § 646.651 (Contest and sweepstakes solicitation)	1999	financial institution in connection with participation in unlawful internet gambling. (§ 167.109) If advertising a skill-based contest using the US mail, the promoter must clearly and conspicuously disclose certain information relating to the contest (enumerated in the statute). (§ 646.651)
Pennsylvania	18 Pa. Stat. Ann. § 5513 (Gambling provisions)	2002	Standard gambling provisions.
Rhode Island	R.I. Stat. § 11-19-1 (Gambling provisions) §§ 11-51-1 & -2 (Commercial gambling provisions)	1993 1979	Standard gambling provisions. (§ 11-19-1) Conducting or operating an organized criminal gambling business is prohibited, and includes, but is not limited to, pool-selling, bookmaking, maintaining slot-machines, roulette wheels or dice tables, and conducting lotteries, Policy, Bolita, or numbers games or selling chances in them. (§ 11-51-1)
South Carolina	S.C. Stat. §§ 16-19-10 through 16-19-160 (Gambling provisions)	1993	Standard gambling provisions.
South Dakota	S.D. Stat. §§ 22-25A-1 through 22-25A-15 (Internet gambling) § 22-25-1 (Gambling provisions)	2000 1976	South Dakota has a law specifically forbidding internet gambling. The statute provides that it is a felony for any person to use the internet to bet or wager or establish a location in South Dakota from which to conduct a gambling business over the internet. (§ 22-25A-7 & -8) "Bet" or "wager" means to directly or indirectly take, receive, or accept money or any valuable thing with the understanding or agreement that the money or valuable thing will be paid or delivered to a person if the payment or delivery is contingent upon the result of a race, contest, or game or upon the happening of an event not known to be certain. (§ 22-25A-1) "Gambling business" means a business that is conducted at a gambling establishment or involves the placing, receiving, or making of bets or wagers or offers to engage in the placing, receiving, or making of bets or wagers. (§ 22-25A-2) The general (non-internet specific) gambling statute provides that any person who engages in gambling in any form with cards, dice, or other implements or devices of any kind wherein anything valuable is wagered upon the outcome, or who keeps any establishment, place, equipment, or apparatus for such gambling or any agents or employees for such purpose, or any person who knowingly lets any establishment, structure, place, equipment, or apparatus for such gambling is guilty of a Class 2 misdemeanor. (§ 22-25-1)
Tennessee	Tenn. Code Ann. §§ 39-17-501 through 39-17-509 (Gambling provisions) § 47-18-124 (Consumer Protection)	2009 1999	Although illegal gambling is defined as "risking anything of value for a profit whose return is to any degree contingent on chance," even where a contest is devoid of any element of chance, the unfair and deceptive trade practices statutes prohibit "pay for play" - requiring payment for the right to compete for, receive, use or be awarded a prize, unless individuals are given written notice in a specific format, and given details, among other things, about the sponsor, the value of each prize the person is eligible to receive and the odds of receiving each prize.
Texas	Tex. Code Ann., Penal Code §§ 47.01 through 47.10 (Gambling provisions)	1995	Standard gambling provisions. The statute specifically exempts from the definition of "bet" an offer of a prize, award, or compensation to the actual contestants in a bona fide contest for the determination of skill, speed, strength, or endurance or to the owners of animals, vehicles, watercraft, or aircraft entered in a contest. (§ 47.01)

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Utah	Utah Code Ann. §§ 76-10-1101 through 76-10-1109 (Gambling provisions) §§ 13-28-1 through 13-28-9 (Prize notice)	1995 2003	Standard gambling provisions. Utah prohibits requiring payment to receive a prize unless, prior to a request, solicitation or acceptance of any entry fee, the person receives written notice with details, among other things, about the sponsor and solicitor (if different), the value of each prize the person is eligible to receive, the odds of receiving each prize, any requirement to pay to obtain a prize, and any limitations on eligibility.
Vermont	13 V.S.A. §§ 2133 through 2143b (Gambling provisions)	1989	Persons who enter a contest or game of chance cannot be required to venture money or anything of value. Vermont law prohibits soliciting anyone to engage in any contest which requires consideration to enter or remain eligible to participate or win.
Virginia	Va. Code §§ 18.2-325 through 18.2-340 (Gambling provisions)	1992	Standard gambling provisions.
Washington	R.C.W. § 9.46.10 through 9.46.903 (Gambling provisions)	2006	Standard gambling provisions. (§ 9.46.0225) Additionally, the statute makes the knowing transmission or receipt of unlawful gambling information via the internet a class C felony. (§ 9.46.240)
West Virginia	W.V. Stat. §§ 61-10-1 through 61-10-9 (Gambling provisions)	1970	Standard gambling provisions.
Wisconsin	Wisc. Ann. Stat. §§ 100.171 945.01 through 945.13	2001 2001	Standard gambling provisions. Wisconsin defines illegal betting as any agreement between parties where one party stands to win or lose something of value on the basis of chance, even if some skill is involved. However, prizes or purses offered to bona fide contestants in a contest of skill, speed, strength or endurance are specifically excluded from the concept of betting. (§§ 945.01 - .02) The use of a "wire communication facility" to transmit or receive a bet on a contest or sporting event or to receive money relating to such a bet constitutes the felony of commercial gambling. (§ 945.03) A lottery is defined as an enterprise that gives participants the opportunity to win a prize, where the award of the prize is determined by chance, even though accompanied by some skill; conducting a lottery where both the consideration and the prize are money is a felony. (§§ 945.01; 945.03) Wisconsin requires prize notifications to be given to any and all individuals that may be eligible to receive a prize, in advance, before accepting or requesting payment. The notice, in a specific format, must contain, among other things, details about the sponsor, the value, odds, eligibility requirements and restrictions applicable to receipt of the prize. (100.171)
Wyoming	Wyo. Stat. Ann. §§ 6-7-101 through 6-7-104 (Gambling provisions) §§ 40-12-01 through 40-12-09 (Consumer protection)	2007 1993	Standard gambling provisions. In order to solicit, accept a fee for participation or award any prize without violating the law, written prize notification must given to each potential recipient which contains details, in a specific format, about the sponsor, the value, odds, eligibility requirements and restrictions applicable to receipt of the prize.