

2007 SENATE BILL 188

May 21, 2007 – Introduced by Senators PLALE and OLSEN, cosponsored by Representatives ZEPNICK, GRONEMUS, MUSSER, VOS, GUNDERSON, BALLWEG and MURSAU. Referred to Committee on Judiciary and Corrections.

1 **AN ACT** *to amend* 945.01 (5) (am); and *to create* 945.01 (1) (f) and 945.01 (5m)
2 of the statutes; **relating to:** eliminating the penalty for participating in an
3 office sports pool.

Analysis by the Legislative Reference Bureau

Current law prohibits betting for something of value or conducting a lottery, which is an enterprise wherein for a consideration the participants are given an opportunity to win a prize, the award of which is determined by chance, even though accompanied by some skill. A person may be fined not more than \$1,000, imprisoned for not more than 90 days, or both fined and imprisoned for betting for something of value or conducting a lottery. A person who is convicted of betting or lottery activities that constitute commercial gambling may be fined not more than \$10,000, sentenced to a term of imprisonment (consisting of confinement followed by extended supervision) that may not exceed three years and six months, or both fined and imprisoned.

This bill provides that managing or participating in an office sports pool does not constitute betting or conducting a lottery. Under the bill, an office sports pool is a game in which all of the participants are employed by the same employer, the consideration paid by each participant does not exceed \$50, a prize is awarded based on the results of a sporting event or a series of related sporting events, the prize is

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all or any portion of the money provided by the participants as consideration, and the person managing the game is a participant and does not manage the game for gain.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 945.01 (1) (f) of the statutes is created to read:

2 945.01 (1) (f) Managing or participating in an office sports pool.

3 **SECTION 2.** 945.01 (5) (am) of the statutes is amended to read:

4 945.01 (5) (am) "Lottery" does not include bingo or a raffle conducted under ch.
5 563, pari-mutuel wagering conducted under ch. 562 or, the state lottery or any
6 multijurisdictional lottery conducted under ch. 565, or an office sports pool.

7 **SECTION 3.** 945.01 (5m) of the statutes is created to read:

8 945.01 (5m) OFFICE SPORTS POOL. An office sports pool is a game to which all
9 of the following apply:

10 (a) All of the participants in the game are employed by the same employer.

11 (b) For an opportunity to win a prize, a participant in the game provides
12 consideration of an amount of money not exceeding \$50.

13 (c) The prize awarded to a winning participant is all or any portion of the money
14 provided by the participants as consideration.

15 (d) A prize is awarded based on the results of a sporting event or a series of
16 related sporting events.

17 (e) The person managing the game is a participant in the game and does not
18 manage the game for gain. For purposes of this paragraph, a person does not manage
19 a game for gain if he or she is awarded a prize as a result of being a participant in
20 the game.

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(END)