



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 109
[2011 Senate Bill 151]

**Opportunities for Employees
to Win Prizes**

Under *current law*, a lottery is a form of gambling “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.” Under current law, consideration does not include an employee’s referral of a customer, or identification of a potential customer, to his or her employer if the employee is not compensated for making the referral or identification.

2011 Wisconsin Act 109 provides that for the purpose of the lottery statute, consideration also does not include an employee’s referral of a customer, or identification of a potential customer, to his or her employer for which the employee was compensated. Thus, under the Act, a lottery does not occur when an employer provides an employee with the opportunity to win a prize in return for the employee referring customers or identifying potential customers to the employer, regardless of whether the employee was compensated for the referral or identification.

Effective date: December 21, 2011

Prepared by: David Moore, Staff Attorney

December 13, 2011

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.