

1993 Assembly Bill 201

Date of enactment: **March 30, 1994**

Date of publication\*: **April 13, 1994**

# 1993 WISCONSIN ACT 174

AN ACT to amend 895.055 and 895.056 of the statutes, relating to: the enforceability of legal gambling agreements.

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

SECTION 1. 895.055 of the statutes is amended to read:

**895.055 Gaming contracts void.** All promises, agreements, notes, bills, bonds, or other contracts, mortgages, conveyances or other securities, where the whole or any part of the consideration of such promise, agreement, note, bill, bond, mortgage, conveyance or other security shall be for money or other valuable thing whatsoever won or lost, laid or staked, or betted at or upon any game of any kind or under any name whatsoever, or by any means, or upon any race, fight, sport or pastime, or any wager, or for the repayment of money or other thing of value, lent or advanced at the time and for the purpose, of any game, play, bet or wager, or of being laid, staked, betted or wagered thereon shall be absolutely void; provided, however, that contracts of insurance made in good faith for the security or indemnity of the party insured shall be lawful and valid. This section does not apply to any promise, agreement, note, bill, bond, mortgage, conveyance or other security that is permitted under chs. 561 to 569 or under state or federal laws relating to the conduct of gaming on Indian lands.

SECTION 2. 895.056 of the statutes is amended to read:

**895.056 Recovery of money wagered.** Any person who, by playing at any game or by betting or wagering on

any game, election, horse or other race, ball playing, cock fighting, fight, sport or pastime or on the issue or event thereof, or on any future contingent or unknown occurrence or result in respect to anything whatever, shall have put up, staked or deposited with any stakeholder or 3rd person any money, property or thing in action, or shall have lost and delivered the same to any winner thereof may, within 3 months after such putting up, staking or depositing, sue for and recover the same from such stakeholder or 3rd person whether such money, property or thing in action has been lost or won or whether it has been delivered over by such stakeholder or 3rd person to the winner or not, and may, within 6 months after any such delivery by such person or stakeholder, sue for and recover such money, property or thing in action from the winner thereof if the same has been delivered over to such winner; and if he shall not so sue for and recover such money, property or thing in action within the time above limited then any other person may, in his behalf and in his name, sue for and recover the same for the use and benefit of his family or his heirs, in case of his death, from such stakeholder or 3rd person if the same is still held by him, within 6 months after such putting up, staking or depositing, or from the winner thereof within one year from the delivery thereof to such winner. This section does not apply to any money, property or thing in action that is permitted to be played, bet or wagered under chs. 561 to 569 or under state or federal laws relating to the conduct of gaming on Indian lands.