

CHAPTER 3  
**GAMBLING**

SECTION:

- 5-3-1: Definitions
- 5-3-2: Prohibited Acts

5-3-1: **DEFINITIONS:** As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this

Section:

**BET:**

A bargain whereby the parties mutually agree to a gain or loss by one to the other of specified money, property or benefit dependent upon chance although the chance is accompanied by some element of skill.

The following are not bets:

A. A contract to insure, indemnify, guarantee or otherwise compensate another for the loss sustained, even though the loss depends on chance.

B. A contract for the purchase or sale at a future date of securities or other commodities.

C. 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 contest.

D. The game of bingo as provided in Minnesota Statutes sections 349.02 and 349.03.

E. A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

**GAMBLING DEVICE:** A contrivance which for a consideration affords the player an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance.

**GAMBLING PLACE:** A location or structure, stationary or moveable, or any part thereof, wherein, as one of its uses, betting is permitted or promoted, a lottery is conducted or assisted or a gambling device is operated.

**LOTTERY:** A plan for the distribution of money, property or other reward or benefit to persons selected by chance from among participants some or all of whom have given a consideration for the chance of being selected. (1986 Code § 651.1)

5-3-2: **PROHIBITED ACTS:** It is unlawful for any person to:

- A. Make a bet; or
- B. Sell or transfer a chance to participate in a lottery; or
- C. Disseminate information about a lottery with intent to encourage participation therein; or
- D. Permit a structure or location owned or occupied by him, or under his control, to be used as a gambling place. (1986 Code § 651.2)