

2024 -- S 2486

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LC004607
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO CRIMINAL OFFENSES -- GAMES OF CHANCE

Introduced By: Senators Britto, Ciccone, DiPalma, Lauria, Lawson, F. Lombardi,
Sosnowski, LaMountain, and McKenney

Date Introduced: February 12, 2024

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-50-1, 11-50-2, 11-50-3, 11-50-4, 11-50-5, 11-50-6, 11-50-7 and
2 11-50-8 of the General Laws in Chapter 11-50 entitled "Games of Chance" are hereby repealed.

3 **11-50-1. Filing requirement.**

4 ~~Any person, firm, or corporation proposing to engage in any game, contest, or other~~
5 ~~promotion or advertising scheme or plan in which a retail establishment offers the opportunity to~~
6 ~~receive gifts, prizes, or gratuities, as determined by chance, in order to promote its retail business,~~
7 ~~where the total announced value of the prizes offered to the general public is in excess of five~~
8 ~~hundred dollars (\$500), shall file with the secretary of state upon a form that he or she shall provide~~
9 ~~a statement setting forth: (1) the minimum number of participating objects to be made available;~~
10 ~~(2) the minimum number of prize winning objects that will be included in the promotion or~~
11 ~~advertising scheme or plan; (3) the proportionate opportunity of winning prizes; (4) the minimum~~
12 ~~value of prizes to be made available; and (5) the rules and regulations pertaining to the promotion~~
13 ~~or advertising scheme or plan which shall include the period of time and the geographic area to be~~
14 ~~covered by the contest. There shall be a filing fee of one hundred and fifty dollars (\$150) when the~~
15 ~~statement is filed. Failure to file a statement shall be a misdemeanor.~~

16 **11-50-2. Posting of available prizes — Rules and winners.**

17 ~~Every person, firm, or corporation engaging in any promotion or advertising game or~~
18 ~~contest of the type set forth in § 11-50-1 shall cause to be posted in a conspicuous and prominent~~
19 ~~location in every retail establishment offering the opportunity to participate in the game or contest~~

1 ~~the minimum number and value of prizes available to be won over a stated period of time and slated~~
2 ~~geographic area, and the rules and regulations pertaining to the promotion or advertising scheme~~
3 ~~or plan and the names and addresses of prize winners. Failure to cause this posting shall be a~~
4 ~~misdemeanor.~~

5 **11-50-3. Records.**

6 ~~Every person, firm, or corporation engaging in any promotion or advertising scheme or~~
7 ~~plan of the type set forth in § 11-50-1 shall maintain for six (6) months following the completion~~
8 ~~of the promotion or advertising scheme or plan adequate records to enable the person, firm, or~~
9 ~~corporation to report to the secretary of state, upon his or her request, the name and address of each~~
10 ~~winner of every prize having a value of more than twenty five dollars (\$25.00), the description of~~
11 ~~the prize won by each person, and the date when the prize was delivered to each person. Failure to~~
12 ~~file that information with the secretary of state upon his or her request within six (6) months shall~~
13 ~~be a misdemeanor.~~

14 **11-50-4. Manipulation of games.**

15 ~~Every person, firm, or corporation who manipulates or rigs any promotion or advertising~~
16 ~~scheme or plan of the type set forth in § 11-50-1 so that gifts, prizes, or gratuities are dispersed to~~
17 ~~predetermined individuals or retail establishments shall be guilty of a misdemeanor, provided, that~~
18 ~~this section shall not prevent distribution of gifts, prizes, or gratuities of equal value to retail~~
19 ~~establishments in a uniform ratio to the number of participating objects distributed to those~~
20 ~~establishments.~~

21 **11-50-5. Failure to distribute prizes.**

22 ~~Every person, firm, or corporation who engages in any promotion or advertising scheme~~
23 ~~or plan of the type set forth in § 11-50-1 and who fails to distribute the offered gifts, prizes, or~~
24 ~~gratuities to designated winners shall be guilty of a misdemeanor.~~

25 **11-50-6. Deceptive advertising practices.**

26 ~~Every person, firm, or corporation who prints, publishes, or circulates literature or~~
27 ~~advertising material, used in connection with any promotion or advertising scheme or plan of the~~
28 ~~type set forth in § 11-50-1, which is false, deceptive, or misleading, shall be guilty of a~~
29 ~~misdemeanor.~~

30 **11-50-7. Dealer coercion.**

31 ~~Every person, firm, or corporation who coerces a retail dealer to participate in any~~
32 ~~promotion or advertising scheme or plan of the type set forth in § 11-50-1 shall be guilty of a~~
33 ~~misdemeanor. Coercion includes, but is not limited to, circumstances in which a course of business~~
34 ~~conduct extending over a period of one year or longer between a supplier and a dealer is materially~~

1 ~~changed for no legitimate business reason, coincident with a failure or refusal of the dealer to~~
2 ~~participate in an above-mentioned promotion or advertising scheme or plan.~~

3 **11-50-8. Injunction.**

4 ~~Whenever the attorney general has reason to believe that any promotion or advertising~~
5 ~~scheme or plan of the type set forth in § 11-50-1 is being operated in violation of this chapter, he~~
6 ~~or she may bring an action in the superior court, in the name and on behalf of the people of the~~
7 ~~state, to enjoin the continued operation of the promotion or advertising scheme or plan.~~

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES -- GAMES OF CHANCE

- 1 This act would repeal the statute regulating games of chance.
- 2 This act would take effect upon passage.

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