



March 16, 2009

Charitable Gaming  
Directive No. 1.03.03

## **Advertising Licensed Gaming Events by Locations**

### **PURPOSE**

Advertising a licensed gaming event is to benefit the qualified organization licensed to conduct the event and not to promote the lessor, location owner, or hall licensee's commercial enterprise. The purpose of this directive is to: (1) set forth the terms and conditions of advertising licensed gaming events by lessors, location owners, and hall licensees; and, (2) set forth the possible penalty for failing to follow the terms and conditions of advertising a licensed gaming event.

### **LEGAL AUTHORITY**

Sec. 432.110(4) of Act 382 of the Public Acts of 1972, as amended, states: "A licensee shall not advertise bingo except to the extent and in the manner permitted by rule promulgated under this act. If the commissioner permits a licensee to advertise bingo, the licensee shall indicate in the advertisement the purpose for which the net proceeds will be used by the licensee."

Sec. 432.110(5) of Act 382 of the Public Acts of 1972, as amended, states: "The holder of a millionaire party license shall not advertise the event, except to the extent and in the manner permitted by rule promulgated under this act. If the commissioner permits a licensee to advertise the event, the licensee shall indicate in the advertising the purpose for which the net proceeds will be used by the licensee."

Millionaire Party Rule 418(2) states: "A lessor or location owner may advertise any gaming activity licensed by the bureau and conducted at the location listed in the bureau approved rental agreement."

Millionaire Party Rule 418(5) states: "Advertising shall include the following information: (a) The name of the licensee. (b) The license number. (c) The purpose for which the net proceeds will be used. (d) The personal limitation on winnings as prescribed by the act."

Hall Rule 1007(1) states: "A hall licensee may advertise by any legal means any gaming activity licensed by the bureau and conducted at the location listed on the license."

Hall Rule 1007(2) states: "Advertising shall include all of the following information: (a) The name of the licensee. (b) The license number. (c) The purpose for which the net proceeds will be used."

## **DEFINITIONS**

1. "Advertising" means all printed matter, handouts, flyers, electronic media, radio, television, advertising signs, billboards, and other media used to promote a licensed gaming event under this act. This includes but is not limited to any written, electronic or printed communication or any communication transmitted on radio, television, the internet or similar communications medium, including videos, disseminated to the public for the purpose of bringing attention to a licensed gaming event.

## **TERMS AND CONDITIONS**

Gaming events advertised by a lessor, location owner, or hall licensee must be in accordance with all Federal and State law, specifically with Act 382 of the Public Acts of 1972, as amended, its rules and directives. Failure to follow the statutes, rules, and/or directives may result in criminal prosecution and/or administrative action against the licensee, lessor, or location owner which includes, but is not limited to, suspension or revocation of a license, refusal to renew a license, suspension of the right to obtain a license or may result in licenses not being issued to qualified organizations applying to conduct their event at the location. The following terms and conditions apply:

2. A lessor, location owner, or hall licensee may only advertise licensed gaming events.
3. The advertising must cease once the gaming event license has expired.
4. All advertisements must be current, accurate, and include the following:
  - a. Name of the licensee.
  - b. Licensee's license number.
  - c. The purpose for which the net proceeds will be used.
5. Advertising via the internet, printed matter, signs, or billboards must be in the following format:
  - a. The information in item 4 must appear in the top half of the advertisement.
  - b. Excluding location name, the information in item 4 must be prominently displayed in the same size font, or larger, as the largest font of any other information contained in the advertisement.
6. The information in item 4 must be continuously visible and readable in television advertising.
7. If the location for a licensed millionaire party event is donated at no charge and the location owner or lessor intends to advertise the licensed gaming event, a signed rental agreement is required to be submitted by the organization making application for a license.

## **PROHIBITIONS**

8. The lessor, location owner, or hall licensee may not advertise the dates or times its location is open for business or the games that will be played at that location unless all the information required in item 4 is contained in the advertising.

**EXCEPTIONS**

9. The following items are not considered advertising for the purposes of this directive:
- a. A message on an answering machine or voicemail by the lessor, location owner, hall licensee, or his or her designee at a location where a licensed gaming event is going to occur.
  - b. Any video, audio, or other means of communication that is broadcast solely within the interior of a location where a licensed gaming event is going to occur.
  - c. Any printed matter contained within the interior of a location where a licensed gaming event is going to occur and that is intended to be visible only from the interior of the location where a licensed gaming event is going to occur.
  - d. A sign located on the property of a location where a licensed gaming event is going to occur that does not mention days, dates, times, specific games played, or game program information.
  - e. An internet web page that does not mention days, dates, times, specific games played, or game program information.

Signed copy available upon request

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M. Scott Bowen, Lottery Commissioner

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Date