

# GAMBLING – DON'T DO IT

76-10-1101, 76-10-1102 & 32B-5-301

A retail licensee may not engage in or permit any form of gambling or fringe gambling on the licensed premises. Actually, it's illegal anywhere in Utah.

Gambling means risking anything of value, such as money in exchange for a return, such as more money, or prizes and is based on chance - not skill.

Simply, there are three prongs of gambling:

- Pay to play
- For the chance to win
- Something of value

If any one of the prongs is missing, it is no longer gambling. For instance:

- If it is free to play the game of bingo, even if you can win a prize, it is not gambling because you did not have to pay to play.
- If you pay to enter a pool tournament for a chance to win, the game of pool is considered a skill, and not a game of chance, so it is not gambling.
- If you pay, even an indirect fee, such as an admission fee, or pay the dealer to enter a card game at a bar, but win nothing but the privilege of being the winner, it is not gambling.

Some may think a lottery or charity raffle is not gambling, but it is still not permissible. Silent Auctions are a good substitute – just don't auction alcohol. But that is another topic.



## EXCEPTIONS:

The use of an amusement device that is activated by a coin or token is not considered gambling if the rewards are only a toy, novelty, or non-monetary prize with a value less than \$100. These devices include:

- Video games
- Driving simulators
- Electronic games
- Claw machines
- Bowling games
- Shuffleboard games
- Skee-ball games
- Pool tables
- Pinball machines
- Target machines
- Baseball machines

**Remember, gambling is illegal in Utah and it is not worth risking your DABC license or being charged with criminal penalties**