What is gambling?

“Gambling, with only a few exceptions, is illegal in Missouri. Those exceptions are restricted and highly regulated.” Gambling includes, but is not limited to, “promotions that award prizes (and) may be called contests, sweepstakes, lotteries, raffles, drawings or games.”

Three elements make up an illegal promotion in Missouri:

1. **Prize** is any benefit, cash or property awarded to a winner.
2. **Chance** means the winner is chosen by “luck” with little or no skill or ability involved.
3. **Consideration** is the exchange of something of value for the opportunity to participate in the game.

If these three elements are present, the event/promotion is considered gambling and is ILLEGAL in Missouri.

How does this apply to me?

**Host a game of skill**

An organization on campus wants to hold a *poker or video game tournament*. In order for the organization to legally plan and participate in this activity, the organization may ask for a *voluntary* donation, but may not require money to play. All advertising and word of mouth publicity must indicate that a donation is strictly optional. If this is done, there can be a prize given to the winner. If that is not desirable, the organization may require an entry fee to play as long as no prize (monetary or otherwise) is given to the winner or to any participant.

**Host a raffle or sweepstake**

An organization on campus wants to hold a *raffle* to earn money for a non-profit religious group in town. The only way for this to be legal would be for the religious group to hold the raffle with the student organization aiding in the planning and promotion. The religious group must be recognized under the law as a non-profit religious organization in the State of Missouri.

**Host bingo**

An organization on campus wants to have a *bingo* night. They can do so as long as they do not charge money to play AND give away any prizes. If they want to be able to do BOTH of those things, the legal way to do this would be to get a bingo license.

What if I'm not sure about these laws?

If you’re unsure if your event/promotion could be considered gambling, please contact the Coordinator for Leadership Development, University Center 202, MS 1200, (573) 651-2280, leadership@semo.edu.

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Are raffles and sweepstakes illegal?
Sometimes – almost always illegal for student organizations

One popular money-making effort violating Missouri’s gambling law is a raffle or sweepstakes that requires participants to buy a ticket or pay an entry fee for the chance to win a prize. Raffles and sweepstakes include, but are not limited to, 50/50 raffles, promotions where a ticket is purchase for a chance to win a tangible prize (vacation, car, iPod, DVDs, etc.).

Raffles/sweepstakes sponsored solely by student organizations ARE ILLEGAL.

Missouri state law DOES allow “raffles and sweepstakes to be sponsored by groups recognized under federal law as charitable or religious.”

For a student organization to host a raffle or sweepstakes, event/promotion must be co-sponsored and co-planned by a recognized charitable or religious organization (often with 501 (c) tax-exempt status).

Please note: Student organizations that classify themselves as religious when registering with student government ARE NOT considered charitable or religious organizations as defined by federal law. NO student organizations are considered charitable or religious organizations on their own. Student organizations affiliated with a national/international organization MAY be able to use the tax-exempt status of the parent organization. Please contact your national organization or the Coordinator for Leadership Development, University Center 202, MS 1200, (573) 651-2280, leadership@semo.edu for further clarification.

Is Bingo illegal?
Sometimes

For a student organization to host a bingo game, you may NOT charge money and you may NOT give away any prize(s). You may do one or the other, but not both, i.e. charge money but there are no prizes involved OR you may host the game for free and give away prizes.

If a student organization would like to host a bingo game as a fundraiser (in which you would charge money and give away prizes), you would first need to obtain a bingo license through the state. The process to do so is as follows:

Under provisions of the bingo law (Chapter 313, RSMo), a bingo game may be operated by a nonprofit organization (such as a charitable organization or religious, service, or veterans group) or a fraternal organization that has maintained a membership of at least 20 for five years prior to applying for a bingo license through the state.

There are several restrictions for bingo game operations. Among them:
- A member of a group cannot receive game proceeds or use any proceeds to pay game workers;
- All workers must be volunteers and members of the group for at least two years;
- The bingo license must be displayed during all games; and
- The group must renew its license yearly.

Are games of skill or “no-purchase necessary” games illegal?
NO – but you have to follow the rules outlined below

Games of skill include trivia, athletic ability, musical talent, or other defined skill activities. “No-purchase-necessary” games are ones in which individuals can obtain free tickets without a purchase, i.e. the McDonalds Monopoly game pieces can be obtained by visiting the McDonalds website or mailing their headquarters at no cost.

The Missouri Constitution DOES ALLOW Missouri citizens to participate in otherwise unauthorized games of chance or skill if one of these two rules is followed.

1. Players must NOT be required to pay a fee of any kind to play the game or to receive a prize. This includes, but is not limited to general entry fees, cover charges, reservation fees, dues, mandatory donations, or registration fees. Suggested donations are okay as long as people can play without donating. Asking for donations for a raffle DOES NOT constitute a no-purchase necessary game or game of skill.

2. If a fee is required to play the game, then NO PRIZE of any value may be awarded to any player. This includes but is not limited to ribbons, certificates, trophies, tokens, tickets, coupons, points, food, travel, vacation expenses or money. You may give the winner a round of applause or a pat on the back.

Are lottery games illegal?
YES! - Always illegal

Missouri Law defines a lottery as “an unlawful gambling scheme in which, for a consideration (usually money), the participants are given an opportunity to win something of value (a prize), the award of which is determined by chance.”

The ONLY legal lottery game hosted in Missouri is the Missouri State Lottery.