

CONNECTICUT

I. Definition of Gambling

1. Gambling, predominance test, and “free entry”

Connecticut General Statutes Annotated § 53-278a(2) (2001 & Supp. 2009) defines gambling as risking any money, credit, deposit or other thing of value for gain contingent in whole or in part upon lot, chance or the operation of a gambling device, including the playing of a casino gambling game such as blackjack, poker, craps, roulette or a slot machine.

However, this statute goes on to state that certain acts are not incorporated by this definition, including: legal contests of skill, speed, strength, and endurance, legal business contracts, or any legal lottery. Conn. Gen. Stat. Ann. § 53-278a(2) (2001 & Supp. 2009).

The use of the language “in whole or in part” seems to indicate the any chance test. This would make sense because the games of blackjack and poker involve a substantial degree of skill.

Nonetheless, *State v. Dorau*, 198 A. 573, 577 (Conn. 1938), examined the statute that preceded this statute and concluded that not only did it ban pure lotteries, but it also banned lottery-like events which are determined predominantly by chance. *See also Herald Pub. Co. v. Bill*, 111 A.2d 4 (Conn. 1955). *Dorau* dealt with a bank night scheme where people could enter their name in the theatre’s registration book for a chance to be selected for a prize. *Dorau*, 198 A. at 574. No ticket purchase was required to enter this contest. *Id.* But the court held that this still was prohibited under the terms of this broad statute. *Id.* at 577. The increase in gross receipts from the people, who paid admission, as well as the aim of the plan to fill the theatre, was sufficient consideration to make this a violation of the lottery statute. *Id.* The court stated that this game appeals to the gambling instinct of those that play the game and this is against public policy. *Id.* at 575.

Similarly, in *Herald Pub. Co.*, 111 A.2d at 9, the court held that a supermarket scheme where individuals could fill out a registration form without buying anything from the store was prohibited under the terms of this statute. The court said it was obvious that this promotion was run to lure potential customers in hopes that they would actually buy something while there. *Id.* at 6. Therefore, payment of consideration was not required for this plan to be forbidden. *Id.* at 9.

II. Definition of Bookmaking

The definition of Bookmaking is incorporated into the definition of “professional gambling found in Conn. Gen. Stat. Ann. § 53-278a(3)(2009). This definition states:

"Professional gambling" means accepting or offering to accept, for profit, money, credits, deposits or other things of value risked in gambling, or any claim thereon or interest therein. Without limiting the generality of this definition, the following shall be included: Pool-selling

and bookmaking; maintaining slot machines, one-ball machines or variants thereof, pinball machines, which award anything other than an immediate and unrecorded right of replay, roulette wheels, dice tables, or money or merchandise pushcards, punchboards, jars or spindles, in any place accessible to the public; and except as provided in sections 7-169 to 7-186, inclusive, conducting lotteries, gift enterprises, disposal or sale of property by lottery or hazard or policy or numbers games, or selling chances therein; and the following shall be presumed to be included: Conducting any banking game played with cards, dice or counters, or accepting any fixed share of the stakes therein;. Conn. Gen. Stat. Ann. § 53-278a(3) (2001 & Supp. 2009).

It seems that the definition of bookmaking is closely related to the term pool-selling. Pool-selling is accepting wagers on the same event from a number of people and then paying out the winners, while deducting a commission for the operator of the game. *State v. Fico*, 162 A.2d 697 (Conn. 1960). The defendant in *Fico* was charged with pool-selling of baseball games. *Id.* at 700. Further, the court noted that selling pools on horse races was common. *Id.* at 699. The court in *State v. Bassano*, 175 A.2d 385, 387 (Conn. App. Ct. 1961), held that the actual making of bets is not required to convict someone under this statute. The court held that the list of horse racing odds and three betting slips was sufficient evidence to convict the defendant under this statute. *Id.* at 387. *See also State v. Bello*, 53 A.2d 381 (Conn. 1947).

III. Specific Gaming Device Definitions

Conn. Gen. Stat. Ann. § 53-278a(4) (2001 & Supp. 2009) states that a gambling device is:

Any device or mechanism by the operation of which a right to money, credits, deposits or other things of value may be created, as the result of the operation of an element of chance; any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; any device, mechanism, furniture or fixture designed primarily for use in connection with professional gambling; and any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation, provided an immediate and unrecorded right of replay mechanically conferred on players of pinball machines and similar amusement devices shall be presumed to be without value. "Gambling device" does not include a crane game machine or device or a redemption machine;

As stated, this definition does not include a "crane game machine" or a "redemption machine." Crane games are common throughout arcades and bowling alleys. To be considered a crane game and escape the definition of a gambling device the game must meet certain elements:

1. Made for amusement purposes and involves some skill
2. Rewards the player with merchandise contained within the machine itself and not with cash. The merchandise cannot exceed ten dollars

3. The player is able to control the operation and timing of the claw used to grasp the items
4. If there is a time restriction on grabbing a prize, the player is aware of it.
5. The claw is of such a size and design that actually picking up the prizes is feasible.

Conn. Gen. Stat. Ann. § 53-278(a)(11) (2001 & Supp. 2009).

A redemption machine is best understood as an arcade game found at a family entertainment center where children can accumulate points that are distributed in the form of tickets. These tickets are then the redeemable for merchandise. To be considered a redemption machine it must meet certain elements:

1. The outcome of game is predominantly subject to chance;
2. The award of tickets is based on the player's score and is not randomly selected;
3. Only merchandise prizes can be awarded;
4. The average wholesale value of the prizes for a single play of the machine does not exceed ten dollars or ten times the cost of a single play of the machine, whichever is less;
5. The redemption value of the ticket is less than the cost of a single play of the machine.

Conn. Gen. Stat. Ann. § 53-278a(12) (2001 & Supp. 2006).

This definition of gambling device includes any device, mechanism, furniture, or fixture designed primarily for use in connection with professional gambling. Conn. Gen. Stat. Ann. § 53-278a(4) (2001 & Supp. 2006). Looking again at the definition of professional gambling found in Conn. Gen. Stat. Ann. § 53-278a(3), and it includes devices like slot machines, pinball machines, roulette wheels, dice tables, or money or merchandise pushcards, punchboards, jars or spindles. It also includes cards, dice, and counters when used in conducting a banking game. Conn. Gen. Stat. Ann. §53-278a(3) (2001 & Supp. 2006). While pinball machines are included in this definition, they will be exempt if they offer only immediate and unrecorded replay games. Conn. Gen. Stat. Ann. §53-278a(3) (2001 & Supp. 2006). *See generally Crystal Amusement Corp. v. Northrop*, 118 A.2d 467 (Conn. C.P. 1955) (holding that pinball machines that offered players nothing more than a free play was not a gambling machine).

The court in *Green v. Hart*, 41 F.2d 855 (D.C. Conn. 1930) held that a mint-vending machine that randomly distributes tokens exchangeable for proverbs or sayings was a gambling machine. The court held in spite of the limited value that this proverbs or sayings might have. *Id.* at 856.

Connecticut has even considered things like a telephone, a pad of paper, and a pencil a gambling device if they are actually used in the course of gambling. *State v. Tolisano*, 70 A.2d 118 (Conn. 1949).

In a recent Attorney General Opinion, it was determined that a three-button slot machine was a gambling device involving the element of chance. Conn. Op. Att'y. Gen. No. 05-002, 2005 WL 40734 (Jan. 4, 2005).

IV. Bucket Shop Laws

Conn. Gen. Stat. Ann. § 53-313 (2001) provides that:

A bucket shop, within the meaning of this section and section 53-314, is defined to be an office, store or other place wherein the proprietor or keeper thereof, either in his or its own behalf, or as the agent or correspondent of any other person, corporation, association or co-partnership within or without the state, conducts the business of making or offering to make contracts, agreements, trades or transactions respecting the purchase or sale or purchase and sale of any stocks, grain, provisions or other commodity or personal property, wherein both parties thereto, or such proprietor or keeper, contemplates or intends that such contracts, agreements, trades or transactions shall be or may be closed, adjusted or settled according to, or upon the basis of, the public market quotations of prices made on any board of trade or exchange upon which the commodities or securities referred to in such contracts, agreements, trades or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange; or wherein both parties, or such keeper or proprietor, contemplate or intend that such contracts, agreements, trades or transactions shall be, or may be deemed, closed or terminated when the public market quotations of prices made on such board of trade or exchange for the articles or securities named in such contracts, agreements, trades or transactions reach a certain figure; also, any office, store or other place in which the keeper or proprietor thereof, either in his or its own behalf, or as an agent as aforesaid, makes or offers to make, whether such offer is accepted or not, contracts, trades or transactions with others for the purchase or sale of any such commodity, wherein the parties thereto do not contemplate the actual or bona fide receipt or delivery of such property, but contemplate a settlement thereof based upon differences in the price at which such property is claimed to be bought and sold.

No corporation, association, co-partnership or person shall keep or cause to be kept any bucket shop; and any person or corporation, whether acting individually, or as a member of, or an officer, agent or employee of, any corporation, association or co-partnership, who or which keeps or assists in the keeping of any bucket shop shall, upon conviction thereof, be fined not less than five hundred and not more than one thousand dollars, or be imprisoned in a community correctional center until such fine is paid, provided such imprisonment shall not continue for more than one year; and any person or persons who are found guilty of a second offense under this section and sections 53-315 and 53-316 shall, in addition to the penalty hereinbefore prescribed, be imprisoned not less than sixty days nor more than one year, and any corporation convicted of such second offense shall be liable to forfeiture of its charter. The continuance of any such establishment after a first conviction shall be deemed a second offense.

V. Prohibitions on games of skill

1. Poker/Blackjack

In the definition of gambling found in Conn. Gen. Stat. Ann. § 53-278a (2001 and Supp. 2009), poker and blackjack are specifically mentioned as a casino gambling game which is illegal in this state.

2. Dice Games

In the definition of gambling found in Conn. Gen. Stat. Ann. § 53-278a(2) (2001 and Supp. 2009), craps, a game played with dice, is specifically prohibited as a casino gambling game. Also, the provision on professional gambling contemplates that dice tables may be considered a gambling device if used in coordination with a professional gambling enterprise. Conn. Gen. Stat. Ann. § 53-278a(3) (2001 and Supp. 2009).

3. Billiards

Conn. Gen. Stat. Ann. § 53-280 (2001) (emphasis added) provides that:

The first selectman of any town, the chief of police of any city or the warden of any borough may grant permits to suitable persons to conduct public billiard and pool rooms in such town, city or borough, as the case may be, and may revoke any permit issued by him, for cause found after hearing. *The use of any billiard or pool table for the purpose of gaming* within any billiard or pool room, for the conduct of which a permit has been granted, or the carrying on within such billiard or pool room of any game of chance shall be sufficient cause for the revocation of such permit or for the refusal of a renewal of such permit.

4. Bowling

Similar to other jurisdictions, Connecticut requires bowling alleys to obtain a license or permit to run its operations. Conn. Gen. Stat. Ann. § 30-37c (2009). However, there is no mention or prohibition on gambling in bowling alleys.

5. Darts

Connecticut does not have any statutory authority, attorney general opinions, or case law regarding dart games.

VI. Express Exemptions

1. Social gambling

Conn. Gen. Stat. Ann. § 53-278b(a) (2009) provides an exception for social gamblers. Players must have a bona fide social relationship that is between natural persons only, and no person involved can be participating directly or indirectly in professional gambling. Conn. Gen. Stat.

Ann. § 53-278b(a) (2009). This means that individuals who are friends or acquaintances could gamble between one another if everyone's gain is measured solely by their winnings. If someone was to be the house and take a cut for conducting the game, then it is unlikely that the game would meet this exception.

Another social gambling exception is that a senior citizen organization can operate bingo games without a permit. Conn. Gen. Stat. Ann. § 7-169c(a) (1999 & Supp. 2009). The organization also must meet certain requirements including:

1. The membership must consist of individuals 60 years or older;
2. It cannot charge an admission fee over a dollar;
3. The prize awarded cannot exceed five dollars;
4. Only active members of the organization can assist in the operation without compensation.

Conn. Gen. Stat. Ann. § 7-169c(a) (1999 & Supp. 2009).

2. Charity Gambling

Charitable organizations are allowed to operate bingo games provided that they have been organized for at least two years in that state and the executive director of the Division of Special Revenue approves the application. Conn. Gen. Stat. Ann. § 7-169 (d & e) (1999 & Supp. 2009). The prizes offered for these games include merchandise, tickets for a lottery, or cash. Conn. Gen. Stat. Ann. § 7-169(i) (1999 & Supp. 2009). Generally, the cash prize is usually limited to fifty dollars. Conn. Gen. Stat. Ann. § 7-169(i) (1999 & Supp. 2009). There are several exceptions to this fifty-dollar rule including:

1. On one day that may offer a prize between fifty and two hundred dollars provided that the total prize money that day does not exceed four hundred dollars;
2. They may offer one or two winner-take-all games or series of games played on any day provided that 90% of all receipts from the sale of these bingo cards are awarded as prizes and the prize amount does not exceed five-hundred dollars;
3. If they have a Class A permit, they can offer a special grand prize once a week not to exceed one hundred and twenty five dollars;
4. They may award door prizes but the total for all of them cannot exceed two hundred dollars.

Conn. Gen. Stat. Ann. § 7-169(i) (1999 & Supp. 2009).

Charitable organizations are also able to sell "sealed tickets," described in Conn. Gen. Stat. Ann. § 7-169h(a)(3) (1999 & Supp. 2009) as a card containing various objects, symbols, or numbers

that if matching a predetermined combination will win a prize, if approved by the Division of Special Revenue. Conn. Gen. Stat. Ann. § 7-169h(c)(2) (1999 & Supp. 2009).

Additionally, charitable organizations may operate a bazaar or raffle provided that the executive director of the Division of Special Revenue approves their application. Conn. Gen. Stat. Ann. §§ 7-172-173 (1999 & Supp. 2009). The prizes awarded at these events are limited to merchandise, tangible personal property, or a ticket, coupon, or gift certificate. Conn. Gen. Stat. Ann. § 7-177 (1999). Cash prizes cannot be awarded. Conn. Gen. Stat. Ann. § 7-177 (2009).

There are also certain types of raffles and games that a charitable organization is allowed to operate and conduct with permission from the executive director of the Division of Special Revenue at a bazaar or raffle. These games include:

1. A fifty-fifty coupon game. This is where people pay for coupons and the holder of the coupon drawn wins fifty percent of all the money collected for that game. Not more than three drawings may be held on any day on which a bazaar is permitted. Conn. Gen. Stat. Ann. § 7-185a(d) (1999 & Supp. 2009).
2. A cow-chip raffle game. This game seems to involve players may certain plots of land. Whoever owns the square the cow decides to leave a “chip” wins. Conn. Gen. Stat. Ann. § 7-185a(e) (1999 & Supp. 2009).
3. A tea-cup raffle game. Conn. Gen. Stat. Ann. § 7-185a(f) (1999 & Supp. 2009).
4. A duck-race raffle or a frog-race raffle. This is a raffle in which artificial numbered ducks or frogs are placed in water, and whoever has the number of the winning duck or frog wins. Conn. Gen. Stat. Ann. § 7-185a (1999 & Supp. 2009).

3. Chucky Cheese Exemption

Redemption slot machines are exempt from the definition of a gambling device. Conn. Gen. Stat. Ann. § 53-278a(12) (2001 & Supp. 2009). Redemption slot machines are best understood as arcade games found in family entertainment centers that distribute tickets based on the player’s score. These tickets are then exchangeable for merchandise. *See supra* “Gambling Devices” (requirements listed for a machine to be considered a redemption slot machine).

4. Commercial Gaming

Slot machines are not allowed in any forum in Connecticut, except for Native American casino gambling. Slot machines are specifically listed as a gambling device in Conn. Gen. Stat. Ann. § 53-278a (2001 & Supp. 2009) and are thus illegal in the state.

5. Horseracing, Dog Racing, and Jai-alai

The division of special revenue and the Gaming Policy Board police these activities in Connecticut. Conn. Gen. Stat. Ann. § 12-557c (2000) & Conn. Gen. Stat. Ann. § 12-557e (2000 & Supp. 2009). To conduct one or more of these events a person or business organization is required to be licensed by the Board. Conn. Gen. Stat. Ann. § 12-574(a) (2000 & Supp. 2009). However, it seems that the Board will not issue any new licenses for these events. Conn. Gen. Stat. Ann. § 12-574c(a) (2000 & Supp. 2009). But it can renew any license issued prior to May 23, 1979 (12-574c(b)) and can issue one additional license after July 5, 1991 authorizing a person or business organization to conduct dog racing or jai alai. Conn. Gen. Stat. Ann. § 12-574c(c) (2000 & Supp. 2009).

The Gaming Policy Board is allowed to operate or authorize off-track betting facilities, but the number of these facilities cannot exceed eighteen. Conn. Gen. Stat. Ann. § 12-571a(a) (2009). These facilities, which could be a restaurant, are allowed to simulcast race programs and jai-alai games. Conn. Gen. Stat. Ann. § 12-571a(b) (2009).

The actual racing facilities can also simulcast jai-alai games. Conn. Gen. Stat. Ann. § 12-575(a) (2000 & Supp. 2009).

The racing facilities, the fronton where the jai-alai games are played, and the off-track betting facilities are allowed to operate a pari-mutuel system. Conn. Gen. Stat. Ann. § 12-575(a) (2000 & Supp. 2009).

5.1. Tax

a. Horseracing

Each licensee conducting horse racing events under the pari-mutuel system must pay a state-imposed tax: (1) A tax on the total money wagered in the pari-mutuel pool on each and every day the licensee conducts racing events, pursuant to the following schedule:

Total Wagered Tax

0 to \$100,001	3.25% on the entire pool
\$100,001 to \$200,001	3.75% on the entire pool
\$200,001 to \$300,001	4.25% on the entire pool
\$300,001 to \$400,001	4.75% on the entire pool
\$400,001 to \$500,001	5.25% on the entire pool
\$500,001 to \$600,001	5.75% on the entire pool
\$600,001 to \$700,001	6.25% on the entire pool
\$700,001 to \$800,001	6.75% on the entire pool
\$800,001 to \$900,001	7.25% on the entire pool
\$900,001 to \$1,000,001	7.75% on the entire pool
\$1,000,001 and over	8.75% on the entire pool

and (2) a tax equal to one-half of the breakage to the dime resulting from such wagering. The executive director, with the advice and consent of the board, shall by regulation designate the percentage of the difference between the seventeen per cent specified in subsection (c), and the tax specified in this subsection which shall be allocated as prize or purse money for the horses racing at each facility.

Conn. Gen. Stat. Ann. § 12-575(d) (2000 & Supp. 2009).

b. Dog Racing

Each licensee conducting dog racing events under the pari-mutuel system must pay a state-imposed tax: (1)(A) A tax at the rate of two per cent on the total money wagered in the pari-mutuel pool on each and every day the licensee conducts racing events or (B) on or after July 1, 1993, in the case of any licensee licensed prior to July 5, 1991, (i) a tax at the rate of two per cent on any amount up to and including fifty million dollars of the total money wagered in the pari-mutuel pool in any state fiscal year during which a licensee licensed prior to July 5, 1991, conducts racing events, (ii) a tax at the rate of three per cent on any amount in excess of fifty million dollars and up to and including eighty million dollars of the total money wagered in the pari-mutuel pool in any state fiscal year during which a licensee licensed prior to July 5, 1991, conducts racing events and (iii) a tax at the rate of four per cent on any amount in excess of eighty million dollars of the total money wagered in the pari-mutuel pool in any state fiscal year during which a licensee licensed prior to July 5, 1991, conducts racing events, and (2) a tax equal to one-half of the breakage to the dime resulting from such wagering.

Conn. Gen. Stat. Ann. § 12-575(e) (2000 & Supp. 2009).

c. Jai-Alai

Each licensee operating a fronton at which the game of jai alai is licensed to be played under the pari-mutuel system must pay a state-imposed tax: (1)(A) A tax at the rate of two per cent on any amount up to and including fifty million dollars of the total money wagered on such games, (B) a tax at the rate of three per cent of any amount in excess of fifty million dollars and up to and including eighty million dollars of the total money wagered on such games, and (C) a tax at the rate of four per cent on any amount in excess of eighty million dollars of the total money wagered on such games, and (2) a tax equal to one-half of the breakage to the dime resulting from such wagering.

Conn. Gen. Stat. Ann. § 12-575(f) (2000 & Supp. 2009).

6. Lottery

The Division of Special Revenue is in charge of regulating Connecticut's state lottery. Conn. Gen. Stat. Ann. § 12-568a (2009). However, the Connecticut Lottery Corporation is in charge of operating and managing the lottery. Conn. Gen. Stat. Ann. § 12-806 (2000 & Supp. 2009). The President of this Corporation is charged with conducting daily, weekly, multi-state, special

instant or other lottery games and determines that number of times that the lottery shall be held each year, as well as the prize of the tickets and the total prize amount. Conn. Gen. Stat. Ann. § 12-812 (2009).

The corporation can sell tickets at a location it determines, except that it cannot license an agent exclusively acting as a lottery sales agent. Conn. Gen. Stat. Ann. § 12-813 (2009).

Also, any person or business or organization that wants to provide facilities, components, goods, or services for the operation of the lottery must be issued a vendor license by the executive director of the Division of Special Revenue. Conn. Gen. Stat. Ann. § 12-815a (2000 & Supp. 2009).

VII. Internet Prohibition

Connecticut does not have any statutory authority, attorney general opinions, or case law regarding internet gaming.

VIII. Penalties for Unlawful Gambling

1. Gambling

Any person who engages in gambling, as defined by Conn. Gen. Stat. Ann. § 53-278a(2), or solicits or induces another to engaged in gambling, or is present when another person or persons are engaged in gambling, are guilty of a class B misdemeanor. This section only applies to players and does not apply to those engaged in social gambling. Conn. Gen. Stat. Ann. § 53-278b (2009).

Still, anyone who engages in professional gambling is guilty of a class A misdemeanor. Conn. Gen. Stat. Ann. § 53-278b (2009). Because professional gambling means accepting or offering to accept for profit any bets or wagers, this section exclusively applies to operators of games or the actual bookmakers themselves. Conn. Gen. Stat. Ann. § 53-278b (2009).

2. Possession of gambling device

Any person who knowingly owns, manufacturers, possesses, buys, sells, rents, leases, stores, repairs or transports any gambling device, or offers or solicits any interest there that is not a firm or corporation with the approval of the Commissioner of Public Safety, is guilty of a class A misdemeanor. Conn. Gen. Stat. Ann. § 53-278c(d-e) (2001 & Supp. 2009).

Any person who knowingly prints, makes, possesses, stores or transports any gambling record, or buys, sells, offers of solicits any interest there, is guilty of a class B misdemeanor. Conn. Gen. Stat. Ann. § 53-278c(f) (2001 & Supp. 2006). A gambling record means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling. Conn. Gen. Stat. Ann. § 53-278a(5) (2001 & Supp. 2009).

3. Transmission of gambling information

Any person who knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore or other means, or knowingly installs or maintains equipment of the transmission or receipt of gambling information is guilty of a class A misdemeanor. Conn. Gen. Stat. Ann. § 53-278d(a) (2009). Gambling information is defined in Conn. Gen. Stat. Ann. § 53-278a(6) (2009) as a communication with respect to any wager made in the course of, and any information intended to be used for, professional gambling.

Any person who subscribes to any telephone facility in a fictitious name for the purpose of gambling shall be guilty of a class D felony. Conn. Gen. Stat. Ann. § 53-278d(d) (2009).

4. Gambling premises

Gambling premises are regarded as common nuisances. Any person who, as owner, lessee, agent, employee, operator, occupant, or otherwise, knowingly maintains or aids or permits the maintaining of a gambling premise is guilty of a class A misdemeanor. Conn. Gen. Stat. Ann. § 53-278e(d) (2009). This seemingly applies only to the operators of these premises, not their customers. It punishes those that maintain a gambling premise, not those that frequent the premises. Conn. Gen. Stat. Ann. § 53-278e(d) (2009).

5. Persistent Offenders

Anyone who has repeatedly violated the above provisions may be prosecuted as a persistent offender and on conviction may be subjected to the penalty of the next most serious classification of offense. Conn. Gen. Stat. Ann. § 53-278f (2009).

6. Lottery Offenses

Any person who forges or counterfeits lottery or pari-mutuel tickets, or who alters any number of such a ticket, or who offers one of these forged tickets for sale knowingly it to be fake is guilty of a class A misdemeanor. Conn. Gen. Stat. Ann. § 12-570 (2009).

A person is also guilty of a class A misdemeanor if they sell, deliver, advertise or offer for an out-of-state lottery ticket in this state. Conn. Gen. Stat. Ann. § 12-570a (2009).

IX. Statute of Anne/Recovery of Debt

Conn. Gen. Stat. Ann. § 52-553 (2009) provides that:

All wagers, and all contracts and securities of which the whole or any part of the consideration is money or other valuable thing won, laid or bet, at any game, horse race, sport or pastime, and all contracts to repay any money knowingly lent at the time and place of such game, race, sport or pastime, to any person so gaming, betting or wagering, or to repay any money lent to any person who, at such time and place, so pays, bets or wagers, shall be void, provided nothing in this

section shall (1) affect the validity of any negotiable instrument held by any person who acquired the same for value and in good faith without notice of illegality in the consideration, or (2) apply to the sale of a raffle ticket pursuant to section 7-172.

Conn. Gen. Stat. Ann. § 52-554 (2009) provides that:

Any person who, by playing at any game, or betting on the sides or hands of such as play at any game, excluding any game permitted under chapter 226 or any activity not prohibited under the provisions of sections 53-278a to 53-278g, inclusive, loses the sum or value of one dollar in the whole and pays or delivers the same or any part thereof, may, within three months next following, recover from the winner the money or the value of the goods so lost and paid or delivered, with costs of suit in a civil action, without setting forth the special matter in his complaint. If the defendant refuses to testify, if called upon in such action, relative to the discovery of the property so won, he shall be defaulted; but no evidence so given by him shall be offered against him in any criminal prosecution.

The court in *Macchio v. Breunig*, 3 A.2d 670, 674 (Conn.1939), held that these two provisions were adopted by the legislature in an effort to discourage gambling. While the defendant in this case claimed that plaintiff was only able to recover the excess of his losses over his winnings, the court held that any money bet – that can definitely proved – is recoverable. *Id.*

Obviously, this section doesn't apply to losing lottery tickets purchased from the State. *See Zuk v. State*, 434 A.2d 987 (Conn. 1981).

X. Commercial Casino Gaming

Connecticut does not have any statutory authority, attorney general opinions, or case law allowing commercial casino gaming.