

1 HOUSE BILL NO. 434

2 INTRODUCED BY S. KERNS

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SHAKE-A-DAY GAMBLING LAWS TO ALLOW AN
5 ESTABLISHMENT TO AWARD THE MARKET VALUE OF UP TO A SIX-PACK OF BEER THAT IS TAKEN
6 FROM THE MONEY PAID TO PLAY THE GAME; AND AMENDING SECTION 23-5-160, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 23-5-160, MCA, is amended to read:

11 **"23-5-160. Shaking dice for a drink or music or in a shake-a-day game -- cee-lo authorized.** (1) It
12 is legal for a customer in an establishment licensed for the sale of alcoholic beverages to be consumed on the
13 premises to shake or choose one or more dice, alone or with an owner or employee of the establishment, to
14 determine whether the customer or the establishment shall pay for the customer's drink or to determine whether
15 the customer or the establishment shall immediately pay a predetermined amount of money, not to exceed \$2,
16 for music from a jukebox in the establishment.

17 (2) It is legal for a customer in an establishment licensed for the sale of alcoholic beverages to be
18 consumed on the premises to play the dice game commonly known as shake-a-day, in which a customer may
19 once each day pay an amount of money predetermined by the establishment, but not more than 50 cents, and
20 shake a number of dice predetermined by the establishment in an attempt to roll certain combinations
21 simulating poker hands predetermined by the establishment. If one of the combinations is rolled, the customer
22 may win merchandise, the market value of up to a six-pack of beer that is taken from the pot of money paid to
23 play the game, or a portion or all of the money paid to play the game since the last winning combination was
24 rolled. The establishment may, before a game begins, limit the amount that will be won and use the remaining
25 money played on that game to start the pot for the next game, thus enhancing the incentive to play the next
26 game in the early stages of the next game. ~~All~~ Except for the market value of alcohol that may be awarded, all
27 money paid to play games must be paid out as winnings. An establishment may offer to the public more than
28 one shake-a-day game at any given time.

1 (3) (a) It is legal for a customer in an establishment licensed for the sale of alcoholic beverages to be
2 consumed on the premises to play a dice game commonly known as cee-lo in which customers may play with
3 three six-sided dice, with or without a bank, in which the first player to roll a winning combination wins. The dice
4 combination of 4-5-6 is treated as a winning combination. Customers shall agree on rules before playing cee-lo.
5 Games of cee-lo may include dice rolls that establish a point and may include games in which two or more
6 players will roll and compare their points to determine a winner. Cee-lo may also be known as "see-low", "four-
7 five-six", "three dice game", and "pair and a point".

8 (b) (i) In banking games, one customer serves as a banker on a rotating basis. The banker covers
9 the individual bets of the other customers who are playing, each of whom competes directly with the bank.
10 Customers bet against the banker, and dice rolls establish a point for the customer.

11 (ii) In nonbanking games, each customer has equal status and rules must be agreed upon for the
12 customers to pool their bets, bet amount, and attempt to win from a common pot. Each customer shall then roll
13 all dice at once and shall continue until a recognized combination is rolled. Whichever customer rolls the best
14 combination wins the entire pot and a new round may begin.

15 (c) A person under 18 years of age may not play cee-lo.

16 (d) An establishment in which cee-lo is played under this section may not:

- 17 (i) have a financial interest in the game, including but not limited to being the bank in the game;
18 (ii) extend credit to any customer who wishes to participate in the game; or
19 (iii) participate or otherwise be involved in the game.

20 (4) Nothing in this section authorizes the dice game of craps or any other dice game not specifically
21 described in this section."

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