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**SB-1523 Gambling: lotteries.** (2023-2024)

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**Senate Bill No. 1523**

**CHAPTER 496**

An act to amend Section 328 of the Penal Code, relating to gambling.

[ Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1523, Committee on Governmental Organization. Gambling: lotteries.

Existing law prohibits the operation of a lottery. Notwithstanding this prohibition, the California Constitution and other existing law authorizes the operation of the California State Lottery and of charitable raffles, as specified. Existing law additionally clarifies that it is not unlawful to produce, print, or sell any advertising materials for a lawful lottery conducted outside of California if those advertising materials are not used in California.

This bill would additionally clarify that it is not unlawful to place or operate communications to and from equipment located within the State of California associated with the hosting of lottery games duly authorized by another state or jurisdiction provided that persons wagering on those games are required by the laws or regulations of the other state or jurisdiction to be physically located within the geographic bounds of that other state or jurisdiction at the time the wager is initiated or placed.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 328 of the Penal Code is amended to read:

**328.** (a) This chapter does not make unlawful the printing or other production of any advertisements for, or any ticket, chance, or share in a lottery conducted in any other state or nation where such lottery is not prohibited by the laws of such state or nation; or the sale of such materials by the manufacturer thereof to any person or entity conducting or participating in the conduct of such a lottery in any such state or nation.

(b) This chapter does not make unlawful the placement or operation of, or communication to and from, equipment located in the State of California associated with the hosting of lottery games duly authorized by another state or jurisdiction provided that persons wagering on those games are required by the laws or regulations of the other state or jurisdiction to be physically located within the geographic bounds of that other state or jurisdiction at the time the wager is initiated or placed.

(c) This section does not authorize any advertisement within California relating to lotteries, the sale or resale within California of lottery tickets, chances, or shares to individuals, or acts otherwise in violation of any laws of the state.