NHLottery
Over $2 Billion and Counting for our Schools

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NOTICE TO FRATERNAL ORGANIZATIONS
REGARDING NON-AUTHORIZED GAMING

We have received several inquiries regarding what constitutes illegal gambling in New Hampshire. We are issuing this document to clarify the statutory provisions surrounding different forms of gaming.

What are the legal forms of gambling in New Hampshire?

In addition to lottery games, the New Hampshire Lottery Commission ("Commission") regulates several forms of gaming which may ONLY BE OFFERED after licensure, registration, or a contract stemming from a public bidding process. These include games of chance (including traditional casino-style games), historic horse racing, sports betting, fantasy sports contests, bingo, and Lucky 7.

Any activities that may fall under the above would be unlawful absent prior approval from the Commission, e.g. "casino nights", sports pools such as box pools, gambling machines, etc.

An exception to this is raffles run by charitable organizations, which require a permit "from the selectmen or designee of the town, or the mayor and aldermen or designee of the city" where the drawing will be held.

What about activities not included in the above?

Other types of contests or games may or may not run afoul of statutes surrounding gambling. The general gambling statute is codified at RSA 647:2. "Gambling" is defined in pertinent part as:

> *to risk something of value upon a future contingent event not under one's control or influence, upon an agreement or understanding that something of value will be received in the event of a certain outcome...*

In other words, where the participants' skill or talent will directly determine the outcome of an event, they can bet on themselves, e.g. a golf tournament with an entry fee where winners receive a prize. However, a person watching the tournament couldn't bet as they have no control or influence on the outcome of the tournament.

Likewise, any contest or game that is at least partly determined by chance, e.g. which involves the rolling of dice, dealing of cards, etc., would be considered gambling if there is a possibility of gain or loss.

Per the above section, a person can be guilty of a misdemeanor or felony for knowingly and unlawfully gambling or permitting gambling "in any place under the person's control."

Who can I contact with questions?

Please direct any questions to the Lottery Commission at compliancedivision@lottery.nh.gov

NH Lottery + Gaming Commission
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