

Effective 5/7/2025

76-9-1402 Participating in gambling.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-1401 apply to this section.
- (2) An actor commits participating in gambling if the actor participates in:
 - (a) gambling;
 - (b) fringe gambling; or
 - (c) online gambling.
- (3)
 - (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a class B misdemeanor.
 - (b) A violation of Subsection (2) is a class A misdemeanor if the actor has previously been convicted of a violation of Subsection (2).
- (4) If federal law authorizes online gambling in the states of the United States and provides that individual states may opt out of online gambling, this state shall opt out of online gambling in the manner provided by federal law and within the time frame provided by that law.
- (5) Regardless of whether a federal law is enacted that authorizes online gambling in the states of the United States, this section and Section 76-9-1404 act as this state's prohibition of gambling, fringe gambling, or online gambling, in this state.

Renumbered and Amended by Chapter 173, 2025 General Session