

Illegal Gambling FAQs

The Gaming Control Division investigates illegal gambling in Indiana. Below are some of the Frequently Asked Questions posed to our Officers. If you have any additional questions, please do not hesitate to ask. You can email via the [“Contact Us”](#) tab on our website or call 317-233-0046.

1. What are the laws that make gambling illegal?

Illegal gambling laws may be found in [Indiana Code 35-45-5](#).

2. How do I provide information on illegal gambling?

The Gaming Control Division keeps sources of all information and tips confidential. To help us reduce illegal gambling in Indiana, please call 1-(866) 610-TIPS (8477) or utilize the [“Contact Us”](#) tab on our website.

3. What is the definition of gambling?

"Gambling" means risking money or other property for gain, contingent in whole or in part upon lot, chance, or the operation of a gambling device. If one of these elements of the gambling definition is removed, then the activity is legal.

4. Are card games, such as poker, games of chance?

Yes. The illegal gambling statute specifically provides that “a card game or an electronic version of a card game is a game of chance and may not be considered a bona fide contest of skill.” See IC 35-45-5-1(1). Thus, games like poker and euchre are considered gambling if played for money.

5. What is a bona fide game of skill?

Bona fide games of skill include games where one can control the results or enhance their abilities through training. Examples include: sporting events, memory games, golf, horseshoes, darts, pool, scrabble, and trivia.

6. Can I wager with my friends when we are playing golf?

It depends. You can wager on yourself and your performance, but it would be illegal to wager on the performance of someone else.

7. What is a gambling device?

A gambling device is any mechanism in which: money can be credited, in return for consideration; when operated for consideration does not return the same value or property for the game consideration; anything used in connection with professional gambling; a policy ticket or wheel; and any part designed for use in connection with a gambling device. Examples include: pull-tabs, cards, dice, roulette wheels, or mechanical slot machines.

8. What is an electronic gambling device?

An electronic gambling device meets one of these four requirements: (1) a slot machine or variation of a slot machine; (2) a matchup or lineup game; (3) a video game machine operated for consideration; or (4) a gadget or device used by a player for an opportunity to obtain money or other items of value based on chance. Examples: electronic slot machines, Cherry Masters, or anything with a random number generator.

9. Are all slot machines illegal?

Slot machines are electronic gambling devices. Possessing and selling slot machines are illegal. However, you may possess an antique slot machine. Antique slot machines are at least 40 years old and are used for decorative, historic, or nostalgic purposes. Antique slot machines may not be used for profit. Persons who possess an antique slot machine must restrict display and use of it to the person’s private residence.

10. What if I have an antique slot machine? Can I sell it?

Persons may sell antique slot machines but cannot knowingly sell to another individual that has the intent to use the antique slot machine as a gambling device.

11. What is a “variation or simulation of a slot machine”?

Variations of slot machines are illegal too. A variation or simulation means an electronic display that resembles a slot machine and meets the definition of an electronic gambling device; such as, a slot machine displayed on an internet website. When making the determination, we look for these characteristics: levers, spinning wheels, electronic spinning, videos, rows or diagonal winners, or computer programs that depict the characteristics of a slot machine.

12. What if I have an illegal slot machine? Can I turn it in without getting arrested?

You may self-report the possession a slot machine and avoid getting in trouble, as long as you contact us prior to an investigation against you commencing. Contact the TIP line, 1-(866) 610-TIPS (8477), and one of our officers will respond.

13. What is a toy crane machine and what may legally be offered in a toy crane machine?

A toy crane machine is an amusement device, which operates by you putting money in for the chance to operate a crane and win a prize. These machines are allowable provided the value of the prize has a wholesale value of not more than the lesser of ten (10) times the amount charged to play the device one time or twenty-five dollars (\$25). Prizes may not include things that are negotiable (ex. lottery tickets) or cash (including gift cards).

14. What is the punishment for illegal gambling?

A person who, knowingly or intentionally, engages in unlawful gambling commits a Class B misdemeanor.

15. Is it illegal to place bets with a sports bookie?

Yes, it is illegal to place bets with a sports bookie. If you are physically present in Indiana, you cannot legally place a sports bet.

16. Are fantasy sports leagues legal? How about all sports betting, like Final Four brackets?

Fantasy sports, as long as the definition of gambling is not met, are legal. If you pay to belong to a league or to participate, it's illegal. In addition, the following would all be illegal if you have to pay to play: Final Four brackets, Nascar boards, drawing players, etc.

17. What is professional gambling?

Professional gambling occurs when a person, knowingly or intentionally, engages in pool-selling; bookmaking; maintains a place that has slot machines, roulette wheels, pull-tabs, etc.; conducts lotteries; conducts percentage games placed with cards or dice; or accepts or offers to accept property risked for gambling. Professional gambling is a Class D felony but is a Class C felony if the person has a prior unrelated gambling conviction.

18. Can I use the internet to engage in gambling?

No. The illegal gambling statute specifically provides that gambling over the internet is illegal.

19. Are games on Facebook and or other similar sites legal?

If it's a game of skill, then it's legal. If it's a game of chance, and you have to pay to participate, it is illegal. Games where it costs money to play, but there is no monetary reward or prize but rather points are awarded that cannot be redeemed for cash or prizes, only used for additional playing time, have been deemed to be legal.

20. Can I open an off-track betting facility?

No. The Indiana Horse Racing Commission oversees the regulation of the off-track betting facilities. Pursuant to statute, there are a limited number of off-track betting facilities allowed in the state and the OTB's must be owned by the permit holders of the horse tracks.

21. Can I make online wagers on horse races?

- No, online wagers on horse races are illegal. The only legal way to place bets on horses in Indiana is at one of the racetracks or off-track betting facilities.
- 22. Is it legal to wager on dog or cock fighting?**
Animal fighting is illegal and the laws regarding animal cruelty may be found in [Indiana Code 35-46-3](#). Gambling on the outcome of animal fighting is also illegal.
- 23. Are dice games illegal?**
Yes, dice games are illegal, unless you're not paying to play or you have a valid charity gaming license.
- 24. Can I open an Internet Sweepstakes Café?**
No. They have been ruled by Indiana and federal courts to be illegal gambling.
- 25. If I own a bar, can I require someone to buy food or make a donation in order to play free poker?**
No, that would be considered a buy-in and would therefore make the poker game illegal.
- 26. Can you obtain a license to conduct raffles, bingo, poker, etc. out of your home or other establishment?**
No. Gaming is only allowable under the following regulated conditions: Hoosier Lottery, Riverboat Casinos, Para-Mutual Wagering on Horse Races, Charity Gaming, Gambling Games at Racetracks, and Type II Gaming. All other gambling in Indiana is illegal.
- 27. How can I get a hunting license?**
The Indiana Gaming Commission does not regulate hunting and fishing licenses, please contact the Department of Natural Resources.
- 28. Who do I tell about underage drinking?**
The Indiana Gaming Commission does not regulate bars and taverns, please contact the Alcohol and Tobacco Commission.
- 29. How do I get a license to sell pull-tabs at my bar?**
The Indiana Gaming Commission does not regulate Type-II gaming, please contact the Alcohol and Tobacco Commission.
- 30. How do I get a charity gaming license?**
The Charity Gaming Division of the Indiana Gaming Commission can help with questions relating to charity gaming licenses, please contact one of the program coordinators at 317-232-4646.