

Sweepstakes in Arizona

Only certain games styled as “free-to-play” are legal in Arizona.
Some, instead, promote illegal gambling.
Make sure you follow the law.

PLEASE NOTE: The Departments recommends that you obtain independent legal advice to ensure compliance with the law.

Engaging in, promoting, or benefiting from gambling is illegal in Arizona (A.R.S. §§ 13-3303-3305) unless the conduct fits within an exception, such as for event wagering (sports betting) or charitable raffles. A.R.S. § 13-3302.

This guide may help you understand requirements for games or contests styled as “free-to-play” or “sweepstakes” to avoid the prohibition on illegal gambling.



A.R.S. § 13-3301(6)

“Gambling”, “gamble” or “wager” means one act of risking or giving something of value for the opportunity to obtain a benefit from a game or contest of chance or skill or a future contingent event.

Free-to-play games or contests, sometimes referred to as “sweepstakes” (which is not a term defined in Arizona law), seek to remove a participant’s act of risking or giving something of value for the opportunity to obtain a benefit from the game or contest. To do this, and thereby avoid engaging in illegal gambling, the game or contest operator must:

- ▶ **allow participation for free, with no consideration or purchase of any type required** and with no requirement that entry be accompanied by an order or payment for a product or service previously ordered.
- ▶ provide participants the option to participate for free in the same manner, to the same extent, and with the same odds of winning, as someone who chooses to donate, willingly contribute consideration, or make a purchase.

- ▶ not place any added requirements or limitations on free participation, such as extra forms, mailings, or limited entries, nor suggest or implement any restriction or disqualification on those not providing consideration, or purchasing products or services, from receiving notice or being allowed to participate in the game or contest or future games or contests.
- ▶ not represent that an individual is a winner of a prize unless that individual has won such prize.
- ▶ clearly and conspicuously provide and display the option to participate for free in the same manner, to the same extent, and with the same odds of winning, as someone who chooses to willingly contribute consideration.
- ▶ do nothing to suggest that consideration is required, make free participation limited or more difficult than using consideration, or obscure the option to participate for free.
- ▶ clearly and conspicuously provide rules, terms and conditions for the games or contests providing for and ensuring all of the above, and which disclose (i) the principal place of business and an address at which the sponsor or mailer may be contacted, (ii) the estimated odds of winning each prize, (iii) the quantity, estimated retail value, and nature of each prize, the (iv) schedule of any payments made over time, and (v) all the rules including of any skill based contest.
- ▶ comply with federal law including 39 U.S.C.A. § 3001.

You can find more information by viewing [Arizona Revised Statutes §13-3301 et seq.](#)