

1980 WL 120814 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 12, 1980

\*1 Mr. William Carter  
Investigator  
Columbia Police Department  
1409 Lincoln Street  
Columbia, South Carolina 29201

Dear Mr. Carter:

I am in receipt of your request for an opinion from this office with respect to the legality of a game called 'liars poker.'

Section 16-19-10, et seq., of the Code of Laws South Carolina (1976) provides, in pertinent part, that:

Whoever shall publicly or privately erect, set up or expose to be played or drawn at or shall cause or procure to be erected, set up or exposed to be played, drawn or thrown at any lottery under the determination of sales of houses, lands, plate, jewels, goods, wares, merchandise or other things whatsoever or for money or by any undertaking whatsoever, in the nature of a lottery, by way of chances, either by dice, lots, cards, balls, numbers, figures, or tickets or who shall make, write, print or publish or cause to be made, written or published any scheme or proposal for any of the purposes aforesaid, and shall be convicted of any of the offenses aforesaid on any indictment for the same, at the court of general sessions, shall forfeit the sum of one thousand dollars, one third thereof to and for the use of this State, one third part thereof to the informer and the other third part thereof to the county in which the offense shall be committed ad shall also, for every such offense, be committed by the court to the common jail for the space of twelve months.

As explained to me by you, the game of 'liars poker' is defined as a game of chance, whereby a number of players are utilizing actual dollar bills as cards. The object of the game is for each player to draw dollar bills as one would draw cards, utilizing the serial numbers on the respective dollar bills in order for each player to make his or her bid. In the making of this bid, a player may utilize the bills other players have. For example, if four fives are called for, a player may take from other players such bills as he needs to complete his hand. By completing his hand, the player wins, also winning the money contained within such hand. By the same token, the other players have thus lost their money.

The game of poker is any one of various card games in which players bet on the value of their hands to win a pool. It is played with cards, and, usually with chips. There are several kinds of poker, but a slight variation in the name or mode of playing does not prevent a game from being 'poker' where it is decided on a showing of cards by the same high cards and combinations of cards, pairs, threes, etc., as in common poker. 38 C.J.S. § 1(3), p. 41.

'Liars poker,' although a slight variation, falls squarely within the definition of the game of poker. It is a game of chance, with the actual currency being utilized as cards. Various combinations and pairs may be formed from the currency, by which a player can obtain a full hand, and win the pot—the pot being the currency utilized in the game itself.

\*2 The aforementioned game of 'liars poker' is therefore within the purview of [Section 16-19-10 of the Code of Laws](#). The use of money as cards is within the prohibitory language of the playing of games of chance by use of cards.

It is the opinion of this office that the game of 'liars poker' is illegal under [Section 16-19-10 of the Code of Laws of South Carolina \(1976\)](#) in that it is an illegal 'card' game, founded upon chance, with monetary reward as its object.

Sincerely Yours,

Wayne G. Carter, Jr.  
Staff Attorney

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