

ASSEMBLY BILL NO. 583—COMMITTEE ON JUDICIARY

MARCH 15, 1999

Referred to Committee on Judiciary

SUMMARY—Revises provisions related to gaming. (BDR 41-1319)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to gaming; providing that play is void if gaming device malfunctions; revising the public policy of this state concerning gaming to clarify that it applies to gaming establishments which hold restricted or nonrestricted licenses; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 463 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person who is playing or operating a gaming device is not entitled to receive cash, premiums, merchandise, tokens or anything of value if:

(a) The device or associated equipment used in connection with the device malfunctions;

(b) The record of the malfunction is stored in the computerized memory of the device or associated equipment; and

(c) The device displays an externally visible notice to players that any malfunction of the device or its associated equipment voids the play.

2. The person playing or operating a gaming device when it malfunctions is entitled to a refund of the wager made on the voided play.

Sec. 2. NRS 463.0129 is hereby amended to read as follows:

463.0129 1. The legislature hereby finds, and declares to be the public policy of this state, that:

(a) The gaming industry is vitally important to the economy of the state and the general welfare of the inhabitants.

1 (b) The continued growth and success of gaming is dependent upon
2 public confidence and trust that licensed gaming is conducted honestly and
3 competitively, that establishments *which hold restricted and nonrestricted*
4 *licenses* where gaming is conducted and where gambling devices are
5 operated do not unduly impact the quality of life enjoyed by residents of the
6 surrounding neighborhoods, that the rights of the creditors of licensees are
7 protected and that gaming is free from criminal and corruptive elements.

8 (c) Public confidence and trust can only be maintained by strict
9 regulation of all persons, locations, practices, associations and activities
10 related to the operation of licensed gaming establishments and the
11 manufacture or distribution of gambling devices and equipment.

12 (d) All establishments where gaming is conducted and where gambling
13 devices are operated, and manufacturers, sellers and distributors of certain
14 gambling devices and equipment must therefore be licensed, controlled and
15 assisted to protect the public health, safety, morals, good order and general
16 welfare of the inhabitants of the state, to foster the stability and success of
17 gaming and to preserve the competitive economy and policies of free
18 competition of the State of Nevada.

19 (e) To ensure that gaming is conducted honestly, competitively and free
20 of criminal and corruptive elements, all gaming establishments in this state
21 must remain open to the general public and the access of the general public
22 to gaming activities must not be restricted in any manner except as
23 provided by the legislature.

24 2. No applicant for a license or other affirmative commission approval
25 has any right to a license or the granting of the approval sought. Any
26 license issued or other commission approval granted pursuant to the
27 provisions of this chapter or chapter 464 of NRS is a revocable privilege,
28 and no holder acquires any vested right therein or thereunder.

29 3. This section does not:

30 (a) Abrogate or abridge any common law right of a gaming
31 establishment to exclude any person from gaming activities or eject any
32 person from the premises of the establishment for any reason; or

33 (b) Prohibit a licensee from establishing minimum wagers for any
34 gambling game or slot machine.

35 **Sec. 3.** This act becomes effective upon passage and approval.