

SENATE BILL NO. 513--COMMITTEE ON JUDICIARY

(ON BEHALF OF ATTORNEY GENERAL)

MARCH 22, 1999

Referred to Committee on Judiciary

SUMMARY—Enacts provisions governing operation of areas containing amusement machines and presence of children in such areas. (BDR 15-311)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to amusement machines; prohibiting children under 18 years of age from being in an arcade or small game room under certain circumstances; requiring a person who operates an arcade or small game room to take certain actions concerning posting signs and enacting security measures; providing penalties; 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 207 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Amusement machine” means a machine or device designed to provide amusement that:*

1. Is operated by coins or tokens; and

2. Is not intended or played for the purpose of gaming.

The term includes, without limitation, a pinball machine or video machine.

Sec. 4. *“Arcade” means a separate room or enclosed area that:*

1. Is intended primarily for the use of amusement machines; and

2. Contains 25 or more amusement machines.

1 **Sec. 5. "Small game room" means a separate room or enclosed area**
2 **that:**

3 **1. Is intended primarily for the use of amusement machines; and**

4 **2. Contains fewer than 25 amusement machines.**

5 **Sec. 6. 1. Except as otherwise provided in subsection 2, a child**
6 **under 18 years of age shall not be present in an arcade or small game**
7 **room:**

8 **(a) From Labor Day until Memorial Day:**

9 **(1) Between the hours of 10 p.m. on Sunday, Monday, Tuesday,**
10 **Wednesday or Thursday night and 5 a.m. the following morning; and**

11 **(2) Between the hours of 12 a.m. and 5 a.m. on Saturday and**
12 **Sunday.**

13 **(b) From Memorial Day until Labor Day, between the hours of 12**
14 **a.m. and 5 a.m. on every day.**

15 **2. A child may be present in an arcade or small game room during**
16 **the hours set forth in subsection 1 if the child is:**

17 **(a) Accompanied by his parent, guardian or legal custodian;**

18 **(b) Accompanied by a person who is 21 years of age or older and who**
19 **has been authorized to supervise the child by the parent, guardian or**
20 **legal custodian of the child;**

21 **(c) Legally employed, and the child:**

22 **(1) Is going directly to work from his residence or returning directly**
23 **to his residence from work during the period from 30 minutes before**
24 **work to 30 minutes after work; and**

25 **(2) Has in his immediate possession a signed statement from his**
26 **employer including, without limitation, verification of his employment**
27 **and the hours of his employment;**

28 **(d) Is in the arcade or small game room before 1 a.m., and the child**
29 **is:**

30 **(1) On the property of his residence or the motel or hotel where he**
31 **or his parent, guardian or legal custodian is a registered guest;**

32 **(2) On the sidewalk directly adjacent to the property of his residence**
33 **or the motel or hotel where he or his parent, guardian or legal custodian**
34 **is a registered guest; or**

35 **(3) On the property of a building directly adjacent to the property of**
36 **his residence or the motel or hotel where he or his parent, guardian or**
37 **legal custodian is a registered guest;**

38 **(e) Is in the arcade or small game room before 1 a.m., and the child is**
39 **returning directly to his residence from a scholastic, social or religious**
40 **activity, a meeting or a place used for public entertainment, including,**
41 **without limitation, a theater or a stadium, within 30 minutes after the**
42 **activity he was attending is completed;**

1 (f) Is traveling between two or more states with the consent of his
2 parent, guardian or legal custodian; or

3 (g) Is in an emergency situation.

4 3. A child under 18 years of age who violates the provisions of this
5 section:

6 (a) Is guilty of a misdemeanor; and

7 (b) Is subject to the provisions of chapter 62 of NRS, unless the child
8 is excluded from the jurisdiction of the juvenile court or certified for
9 criminal proceedings as an adult in accordance with the provisions of
10 that chapter.

11 4. A parent, guardian or legal custodian of a child who knowingly
12 permits a child to violate the provisions of this section is guilty of a
13 misdemeanor and shall be punished by a fine of not more than \$500.

14 Sec. 7. 1. A person who operates an arcade or small game room
15 shall display conspicuously at or near each entrance to the arcade or
16 small game room a sign, in lettering of sufficient size to be clearly
17 legible, setting forth the following:

18
19 State law prohibits children under 18 years of age who are
20 unaccompanied by a parent, guardian, legal custodian or
21 responsible adult over the age of 21, from being present in this
22 arcade:

23
24 From Labor Day Until Memorial Day
25 Between 10 p.m on Sunday, Monday, Tuesday, Wednesday or
26 Thursday night until 5 a.m. the following morning.
27 Between 12 a.m. and 5 a.m. on Saturday and Sunday.

28
29 From Memorial Day Until Labor Day
30 Between 12 a.m. and 5 a.m. on every day.

31
32 2. A person who violates the provisions of this section is guilty of a
33 misdemeanor and shall be punished by a fine of not more than \$500.

34 Sec. 8. 1. A person who operates an arcade shall employ persons
35 trained in security measures for the protection of children to staff the
36 arcade during all hours that the arcade is open to the public.

37 2. A person who operates a small game room shall:

38 (a) Employ persons trained in security measures for the protection of
39 children to staff the small game room during all hours that the small
40 game room is open to the public;

41 (b) Employ persons trained in security measures for the protection of
42 children to monitor randomly the small game room by entering the small

1 *game room a minimum of five times each hour during all hours that the*
2 *small game room is open to the public; or*

3 *(c) Install a sufficient number of security or surveillance cameras in*
4 *the small game room and employ persons trained in security measures*
5 *for the protection of children to monitor any such camera during all*
6 *hours that the small game room is open to the public.*

7 *3. A person who operates an arcade or small game room and installs*
8 *and monitors a security or surveillance camera in the arcade or small*
9 *game room shall display in a conspicuous place in the arcade or small*
10 *game room a sign providing notice that the arcade or small game room is*
11 *being monitored by a security or surveillance camera.*

12 *4. A person who violates the provisions of this section is guilty of a*
13 *misdemeanor and shall be punished by a fine of not more than \$500.*

14 **Sec. 9.** The amendatory provisions of this act do not apply to offenses
15 committed before October 1, 1999.