

ASSEMBLY BILL NO. 471—COMMITTEE ON JUDICIARY

MARCH 28, 2005

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Referred to Committee on Judiciary

SUMMARY—Authorizes use of mobile communication devices for gaming and increases number of members of Off-Track Pari-Mutuel Wagering Committee. (BDR 41-1302)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to gaming; authorizing the Nevada Gaming Commission to adopt regulations governing the use of mobile communication devices for gaming on the premises of licensed gaming establishments; providing that communications devices offered for play as part of a mobile gaming system are subject to the same fees and taxes applicable to slot machines; increasing the number of members of the Off-Track Pari-Mutuel Wagering Committee; providing a penalty; and providing other matters properly relating thereto.

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

1     **Section 1.** Chapter 463 of NRS is hereby amended by adding  
2     thereto the provisions set forth as sections 2, 3 and 4 of this act.

3     **Sec. 2.** *“Mobile gaming” means the conduct of gambling*  
4     *games through communications devices operated solely in public*  
5     *areas of an establishment which holds a nonrestricted gaming*  
6     *license and which operates at least 100 slot machines and at least*  
7     *one other game by the use of communications technology that*  
8     *allows a person to transmit information to a computer to assist in*  
9     *the placing of a bet or wager and corresponding information*  
10    *related to the display of the game, game outcomes or other similar*  
11    *information. For the purposes of this section:*



1       1. *“Communications technology” means any method used*  
2 *and the components employed by an establishment to facilitate the*  
3 *transmission of information, including, without limitation,*  
4 *transmission and reception by systems based on wireless network,*  
5 *wireless fidelity, wire, cable, radio, microwave, light, optics or*  
6 *computer data networks. The term does not include the Internet.*

7       2. *“Public areas” does not include rooms available for*  
8 *sleeping or living accommodations.*

9       **Sec. 3.** 1. *Except as otherwise provided in subsection 2, the*  
10 *Commission may, with the advice and assistance of the Board,*  
11 *adopt regulations governing the operation of mobile gaming and*  
12 *the licensing of:*

13       (a) *An operator of a mobile gaming system;*

14       (b) *A manufacturer, seller or distributor of a mobile gaming*  
15 *system; and*

16       (c) *A manufacturer of equipment associated with mobile*  
17 *gaming.*

18       2. *The Commission may not adopt regulations pursuant to*  
19 *this section until the Commission first determines that:*

20       (a) *Mobile gaming systems are secure and reliable, and*  
21 *provide reasonable assurance that players will be of lawful age*  
22 *and communicating only from areas of licensed gaming*  
23 *establishments that have been approved by the Commission for*  
24 *that purpose; and*

25       (b) *Mobile gaming can be operated in a manner which*  
26 *complies with all applicable laws.*

27       3. *The regulations adopted by the Commission pursuant to*  
28 *this section must:*

29       (a) *Provide that gross revenue received by a licensed gaming*  
30 *establishment or the operator or the manufacturer of a mobile*  
31 *gaming system from the operation of mobile gaming is subject to*  
32 *the same license fee provisions of NRS 463.370 as the other games*  
33 *and gaming devices operated at the licensed gaming*  
34 *establishment.*

35       (b) *Provide that a mobile communications device which*  
36 *displays information relating to the game to a participant in the*  
37 *game as part of a mobile gaming system is subject to the same fees*  
38 *and taxes applicable to slot machines as set forth in NRS 463.375*  
39 *and 463.385.*

40       (c) *Set forth standards for the location and security of the*  
41 *computer system and for approval of hardware and software used*  
42 *in connection with mobile gaming.*

43       (d) *Define “mobile gaming system,” “operator of a mobile*  
44 *gaming system,” “equipment associated with mobile gaming” and*  
45 *“public area” as the terms are used in this chapter.*



1     **Sec. 4.** *A debt incurred by a patron in connection with*  
2 *playing a mobile gaming system at a licensed gaming*  
3 *establishment is valid and may be enforced by legal process.*

4     **Sec. 5.** NRS 463.013 is hereby amended to read as follows:

5     463.013 As used in this chapter, unless the context otherwise  
6 requires, the words and terms defined in NRS 463.0133 to  
7 463.01967, inclusive, *and section 2 of this act* have the meanings  
8 ascribed to them in those sections.

9     **Sec. 6.** NRS 463.0136 is hereby amended to read as follows:

10    463.0136 “Associated equipment” means:

11    1. Any equipment or mechanical, electromechanical or  
12 electronic contrivance, component or machine used remotely or  
13 directly in connection with *gaming or mobile* gaming, any game,  
14 race book or sports pool that would not otherwise be classified as a  
15 gaming device, including dice, playing cards, links which connect to  
16 progressive slot machines, equipment which affects the proper  
17 reporting of gross revenue, computerized systems of betting at a  
18 race book or sports pool, computerized systems for monitoring slot  
19 machines and devices for weighing or counting money; or

20    2. A computerized system for recordation of sales for use in an  
21 area subject to the tax imposed pursuant to NRS 368A.200.

22    **Sec. 7.** NRS 463.0157 is hereby amended to read as follows:

23    463.0157 1. “Gaming employee” means any person  
24 connected directly with an operator of a slot route, the operator of a  
25 pari-mutuel system, the operator of an inter-casino linked system or  
26 a manufacturer, distributor or disseminator, or with the operation of  
27 a gaming establishment licensed to conduct any game, 16 or more  
28 slot machines, a race book, sports pool or pari-mutuel wagering,  
29 including:

30    (a) Accounting or internal auditing personnel who are directly  
31 involved in any recordkeeping or the examination of records  
32 associated with revenue from gaming;

33    (b) Boxmen;

34    (c) Cashiers;

35    (d) Change personnel;

36    (e) Counting room personnel;

37    (f) Dealers;

38    (g) Employees of a person required by NRS 464.010 to be  
39 licensed to operate an off-track pari-mutuel system;

40    (h) Employees of a person required by NRS 463.430 to be  
41 licensed to disseminate information concerning racing;

42    (i) Employees of manufacturers or distributors of gaming  
43 equipment within this State whose duties are directly involved with  
44 the manufacture, repair or distribution of gaming devices, cashless  
45 wagering systems, *mobile gaming systems, equipment associated*



1 *with mobile gaming systems*, interactive gaming systems or  
2 equipment associated with interactive gaming;

3 (j) Employees of operators of slot routes who have keys for slot  
4 machines or who accept and transport revenue from the slot drop;

5 (k) Employees of operators of inter-casino linked systems ,  
6 *mobile gaming systems* or interactive gaming systems whose duties  
7 include the operational or supervisory control of the systems or the  
8 games that are part of the systems;

9 (l) Floormen;

10 (m) Hosts or other persons empowered to extend credit or  
11 complimentary services;

12 (n) Keno runners;

13 (o) Keno writers;

14 (p) Machine mechanics;

15 (q) Odds makers and line setters;

16 (r) Security personnel;

17 (s) Shift or pit bosses;

18 (t) Shills;

19 (u) Supervisors or managers;

20 (v) Ticket writers; and

21 (w) Employees of a person required by NRS 463.160 to be  
22 licensed to operate an information service.

23 2. "Gaming employee" does not include bartenders, cocktail  
24 waitresses or other persons engaged exclusively in preparing or  
25 serving food or beverages.

26 **Sec. 8.** NRS 463.0172 is hereby amended to read as follows:

27 463.0172 "Manufacturer" means a person who:

28 1. Manufactures, assembles, programs or makes modifications  
29 to a gaming device, cashless wagering system , *mobile gaming*  
30 *system* or interactive gaming system; or

31 2. Designs, assumes responsibility for the design of, controls  
32 the design or assembly of, or maintains a copyright over the design  
33 of, a mechanism, electronic circuit or computer program which  
34 cannot be reasonably demonstrated to have any application other  
35 than in a gaming device, cashless wagering system , *mobile gaming*  
36 *system* or interactive gaming system for use or play in this State or  
37 for distribution outside of this State.

38 **Sec. 9.** NRS 463.0177 is hereby amended to read as follows:

39 463.0177 "Nonrestricted license" or "nonrestricted operation"  
40 means:

41 1. A state gaming license for, or an operation consisting of, 16  
42 or more slot machines;

43 2. A license for, or operation of, any number of slot machines  
44 together with any other game, gaming device, race book or sports  
45 pool at one establishment;



- 1        3. A license for, or the operation of, a slot machine route; ~~for~~  
2        4. A license for, or the operation of, an inter-casino linked  
3 system ~~for~~; or

4        **5. A license for, or the operation of, a mobile gaming system.**

5        **Sec. 10.** NRS 463.160 is hereby amended to read as follows:

6        463.160 1. Except as otherwise provided in subsection 4 and  
7 NRS 463.172, it is unlawful for any person, either as owner, lessee  
8 or employee, whether for hire or not, either solely or in conjunction  
9 with others:

10        (a) To deal, operate, carry on, conduct, maintain or expose for  
11 play in the State of Nevada any gambling game, gaming device,  
12 inter-casino linked system, **mobile gaming system**, slot machine,  
13 race book or sports pool;

14        (b) To provide or maintain any information service;

15        (c) To operate a gaming salon; or

16        (d) To receive, directly or indirectly, any compensation or  
17 reward or any percentage or share of the money or property played,  
18 for keeping, running or carrying on any gambling game, slot  
19 machine, gaming device, **mobile gaming system**, race book or sports  
20 pool,

21        ➤ without having first procured, and thereafter maintaining in  
22 effect, all federal, state, county and municipal gaming licenses as  
23 required by statute, regulation or ordinance or by the governing  
24 board of any unincorporated town.

25        2. The licensure of an operator of an inter-casino linked system  
26 is not required if:

27        (a) A gaming licensee is operating an inter-casino linked system  
28 on the premises of an affiliated licensee; or

29        (b) An operator of a slot machine route is operating an inter-  
30 casino linked system consisting of slot machines only.

31        3. Except as otherwise provided in subsection 4, it is unlawful  
32 for any person knowingly to permit any gambling game, slot  
33 machine, gaming device, inter-casino linked system, **mobile gaming**  
34 **system**, race book or sports pool to be conducted, operated, dealt or  
35 carried on in any house or building or other premises owned by him,  
36 in whole or in part, by a person who is not licensed pursuant to this  
37 chapter, or his employee.

38        4. The Commission may, by regulation, authorize a person to  
39 own or lease gaming devices for the limited purpose of display or  
40 use in the person's private residence without procuring a state  
41 gaming license.

42        5. As used in this section, "affiliated licensee" has the meaning  
43 ascribed to it in NRS 463.430.



**Sec. 11.** NRS 463.1605 is hereby amended to read as follows:

463.1605 1. Except as otherwise provided in subsection 3, the Commission shall not approve a nonrestricted license, other than for the operation of a *mobile gaming system*, race book or sports pool at an establishment which holds a nonrestricted license to operate both gaming devices and a gambling game, for an establishment in a county whose population is 100,000 or more unless the establishment is a resort hotel.

2. A county, city or town may require resort hotels to meet standards in addition to those required by this chapter as a condition of issuance of a gaming license by the county, city or town.

3. The Commission may approve a nonrestricted license for an establishment which is not a resort hotel at a new location if the establishment was acquired or displaced pursuant to a redevelopment project undertaken by an agency created pursuant to NRS 279.382 to 279.685, inclusive.

**Sec. 12.** NRS 463.245 is hereby amended to read as follows:

463.245 1. Except as otherwise provided in this section:

(a) All licenses issued to the same person, including a wholly owned subsidiary of that person, for the operation of any game, including a sports pool or race book, which authorize gaming at the same establishment must be merged into a single gaming license.

(b) A gaming license may not be issued to any person if the issuance would result in more than one licensed operation at a single establishment, whether or not the profits or revenue from gaming are shared between the licensed operations.

2. A person who has been issued a nonrestricted gaming license may establish a sports pool or race book on the premises of the establishment at which he conducts a nonrestricted gaming operation only after obtaining permission from the Commission.

3. A person who has been issued a license to operate a sports pool or race book at an establishment may be issued a license to operate a sports pool or race book at another establishment if the second establishment is operated by a person who has been issued a nonrestricted license.

4. Nothing in this section limits or prohibits an operator of an inter-casino linked system from placing and operating such a system on the premises of two or more gaming licensees and receiving, either directly or indirectly, any compensation or any percentage or share of the money or property played from the linked games in accordance with the provisions of this chapter and the regulations adopted by the Commission. An inter-casino linked system must not be used to link games other than slot machines, unless such games are located at an establishment that is licensed for games other than slot machines.



1        5. The provisions of this section do not apply to a license to  
2 operate *a mobile gaming system or to operate* interactive gaming.

3        **Sec. 13.** NRS 463.305 is hereby amended to read as follows:

4        463.305 1. Any person who operates or maintains in this  
5 State any gaming device of a specific model, any gaming device  
6 which includes a significant modification, *any mobile gaming*  
7 *system* or any inter-casino linked system which the Board or  
8 Commission has not approved for testing or for operation is subject  
9 to disciplinary action by the Board or Commission.

10       2. The Board shall maintain a list of approved gaming devices ,  
11 *mobile gaming systems* and inter-casino linked systems.

12       3. If the Board suspends or revokes approval of a gaming  
13 device pursuant to the regulations adopted pursuant to subsection 4  
14 ~~§~~ *or suspends or revokes approval of a mobile gaming system*  
15 *pursuant to the regulations adopted pursuant to section 3 of this*  
16 *act*, the Board may order the removal of the gaming device *or*  
17 *mobile gaming system* from an establishment.

18       4. The Commission shall adopt regulations relating to gaming  
19 devices and their significant modification and inter-casino linked  
20 systems.

21       **Sec. 14.** NRS 463.3855 is hereby amended to read as follows:

22       463.3855 1. In addition to any other state license fees  
23 imposed by this chapter, the Commission shall, before issuing a  
24 state gaming license to an operator of a slot machine route , *an*  
25 *operator of a mobile gaming system* or an operator of an inter-  
26 casino linked system, charge and collect from him an annual license  
27 fee of \$500.

28       2. Each such license must be issued for a calendar year  
29 beginning January 1 and ending December 31. If the operation of  
30 the licensee is continuing, the Commission shall charge and collect  
31 the fee on or before December 31 for the ensuing calendar year.

32       3. Except as otherwise provided in NRS 463.386, the fee to be  
33 charged and collected under this section is the full annual fee,  
34 without regard to the date of application for or issuance of the  
35 license.

36       **Sec. 15.** NRS 463.482 is hereby amended to read as follows:

37       463.482 As used in NRS 463.160 to 463.170, inclusive, *and*  
38 *section 3 of this act*, 463.368, 463.386, 463.482 to 463.645,  
39 inclusive, and 463.750, unless the context otherwise requires, the  
40 words and terms defined in NRS 463.4825 to 463.488, inclusive,  
41 have the meanings ascribed to them in those sections.

42       **Sec. 16.** NRS 463.650 is hereby amended to read as follows:

43       463.650 1. Except as otherwise provided in subsections 2 to  
44 5, inclusive, it is unlawful for any person, either as owner, lessee or  
45 employee, whether for hire or not, to operate, carry on, conduct or





1 maintain any form of manufacture, selling or distribution of any  
2 gaming device, cashless wagering system , *mobile gaming system*  
3 or interactive gaming system for use or play in Nevada or for  
4 distribution outside of Nevada without first procuring and  
5 maintaining all required federal, state, county and municipal  
6 licenses.

7 2. A lessor who specifically acquires equipment for a capital  
8 lease is not required to be licensed under this section or  
9 NRS 463.660.

10 3. The holder of a state gaming license or the holding company  
11 of a corporation, partnership, limited partnership, limited-liability  
12 company or other business organization holding a license may,  
13 within 2 years after cessation of business or upon specific approval  
14 by the Board, dispose of by sale in a manner approved by the Board,  
15 any or all of its gaming devices, including slot machines, *mobile*  
16 *gaming systems* and cashless wagering systems, without a  
17 distributor's license. In cases of bankruptcy of a state gaming  
18 licensee or foreclosure of a lien by a bank or other person holding a  
19 security interest for which gaming devices are security in whole or  
20 in part for the lien, the Board may authorize the disposition of the  
21 gaming devices without requiring a distributor's license.

22 4. The Commission may, by regulation, authorize a person who  
23 owns:

24 (a) Gaming devices for home use in accordance with NRS  
25 463.160; or

26 (b) Antique gaming devices,  
27 ➔ to sell such devices without procuring a license therefor to  
28 residents of jurisdictions wherein ownership of such devices is legal.

29 5. Upon approval by the Board, a gaming device owned by:

30 (a) A law enforcement agency;

31 (b) A court of law; or

32 (c) A gaming device repair school licensed by the Commission  
33 on Postsecondary Education,

34 ➔ may be disposed of by sale, in a manner approved by the Board,  
35 without a distributor's license. An application for approval must be  
36 submitted to the Board in the manner prescribed by the Chairman.

37 6. Any person whom the Commission determines is a suitable  
38 person to receive a license under the provisions of this section and  
39 NRS 463.660 may be issued a manufacturer's or distributor's  
40 license. The burden of proving his qualification to receive or hold a  
41 license under this section and NRS 463.660 is at all times on the  
42 applicant or licensee.

43 7. Every person who must be licensed pursuant to this section  
44 is subject to the provisions of NRS 463.482 to 463.645, inclusive,  
45 unless exempted from those provisions by the Commission.





1       8. The Commission may exempt, for any purpose, a  
2 manufacturer, seller or distributor from the provisions of NRS  
3 463.482 to 463.645, inclusive, if the Commission determines that  
4 the exemption is consistent with the purposes of this chapter.

5       9. As used in this section:

6       (a) "Antique gaming device" means a gaming device that was  
7 manufactured before 1951.

8       (b) "Holding company" has the meaning ascribed to it in  
9 NRS 463.485.

10      **Sec. 17.** NRS 463.651 is hereby amended to read as follows:

11      463.651 1. A natural person who applies for the issuance or  
12 renewal of a license as a manufacturer, distributor or seller of  
13 gaming devices *or mobile gaming systems* shall submit to the  
14 Commission the statement prescribed by the Welfare Division of the  
15 Department of Human Resources pursuant to NRS 425.520. The  
16 statement must be completed and signed by the applicant.

17      2. The Commission shall include the statement required  
18 pursuant to subsection 1 in:

19      (a) The application or any other forms that must be submitted  
20 for the issuance or renewal of the license; or

21      (b) A separate form prescribed by the Commission.

22      3. A license as a manufacturer, distributor or seller of gaming  
23 devices *or mobile gaming systems* may not be issued or renewed by  
24 the Commission if the applicant is a natural person who:

25      (a) Fails to submit the statement required pursuant to subsection  
26 1; or

27      (b) Indicates on the statement submitted pursuant to subsection  
28 1 that he is subject to a court order for the support of a child and is  
29 not in compliance with the order or a plan approved by the district  
30 attorney or other public agency enforcing the order for the  
31 repayment of the amount owed pursuant to the order.

32      4. If an applicant indicates on the statement submitted pursuant  
33 to subsection 1 that he is subject to a court order for the support of a  
34 child and is not in compliance with the order or a plan approved by  
35 the district attorney or other public agency enforcing the order for  
36 the repayment of the amount owed pursuant to the order, the  
37 Commission shall advise the applicant to contact the district  
38 attorney or other public agency enforcing the order to determine the  
39 actions that the applicant may take to satisfy the arrearage.

40      **Sec. 18.** NRS 463.652 is hereby amended to read as follows:

41      463.652 1. If the Commission receives a copy of a court  
42 order issued pursuant to NRS 425.540 that provides for the  
43 suspension of all professional, occupational and recreational  
44 licenses, certificates and permits issued to a person who is the  
45 holder of a license as a manufacturer, distributor or seller of gaming



1 devices **or mobile gaming systems**, the Commission shall deem  
2 the license issued to that person to be suspended at the end of the  
3 30th day after the date on which the court order was issued unless  
4 the Commission receives a letter issued to the holder of the license  
5 by the district attorney or other public agency pursuant to NRS  
6 425.550 stating that the holder of the license has complied with the  
7 subpoena or warrant or has satisfied the arrearage pursuant to  
8 NRS 425.560.

9 2. The Commission shall reinstate a license as a manufacturer,  
10 distributor or seller of gaming devices **or mobile gaming systems**  
11 that has been suspended by a district court pursuant to NRS 425.540  
12 if the Commission receives a letter issued by the district attorney or  
13 other public agency pursuant to NRS 425.550 to the person whose  
14 license was suspended stating that the person whose license was  
15 suspended has complied with the subpoena or warrant or has  
16 satisfied the arrearage pursuant to NRS 425.560.

17 **Sec. 19.** NRS 463.653 is hereby amended to read as follows:

18 463.653 The application of a natural person who applies for the  
19 issuance of a license as a manufacturer, distributor or seller of  
20 gaming devices **or mobile gaming systems** must include the social  
21 security number of the applicant.

22 **Sec. 20.** NRS 463.670 is hereby amended to read as follows:

23 463.670 1. The Legislature finds and declares as facts:

24 (a) That the inspection of gaming devices, associated equipment,  
25 cashless wagering systems, **mobile gaming systems** and interactive  
26 gaming systems is essential to carry out the provisions of this  
27 chapter; and

28 (b) That inspection of gaming devices, associated equipment,  
29 cashless wagering systems, **mobile gaming systems** and interactive  
30 gaming systems is greatly facilitated by the opportunity to inspect  
31 components before assembly and to examine the methods of  
32 manufacture.

33 2. The Board may inspect every gaming device which is  
34 manufactured, sold or distributed:

35 (a) For use in this State, before the gaming device is put into  
36 play.

37 (b) In this State for use outside this State, before the gaming  
38 device is shipped out of this State.

39 3. The Board may inspect every gaming device which is  
40 offered for play within this State by a licensee.

41 4. The Board may inspect all associated equipment, every  
42 cashless wagering system, **every mobile gaming system** and every  
43 interactive gaming system which is manufactured, sold or  
44 distributed for use in this State before the equipment or system is



1 installed or used by a licensee and at any time while the licensee is  
2 using the equipment or system.

3 5. In addition to all other fees and charges imposed by this  
4 chapter, the Board may determine, charge and collect an inspection  
5 fee from each manufacturer, seller or distributor which must not  
6 exceed the actual cost of inspection and investigation.

7 **Sec. 21.** NRS 464.020 is hereby amended to read as follows:

8 464.020 1. The Nevada Gaming Commission is charged with  
9 the administration of this chapter for the protection of the public and  
10 in the public interest.

11 2. The Nevada Gaming Commission may issue licenses  
12 permitting the conduct of the pari-mutuel system of wagering,  
13 including off-track pari-mutuel wagering, and may adopt, amend  
14 and repeal regulations relating to the conduct of such wagering.

15 3. The wagering must be conducted only by the licensee at the  
16 times determined by the Nevada Gaming Commission and only:

17 (a) Within the enclosure wherein the race or other sporting event  
18 which is the subject of the wagering occurs; or

19 (b) Within a licensed gaming establishment which has been  
20 approved to conduct off-track pari-mutuel wagering.

21 ➔ This subsection does not prohibit a person licensed to accept,  
22 pursuant to regulations adopted by the Nevada Gaming  
23 Commission, off-track pari-mutuel wagers from accepting wagers  
24 made by wire communication from patrons within the State of  
25 Nevada, from other states in which such wagering is legal or from  
26 places outside the United States in which such wagering is legal.

27 4. The regulations of the Nevada Gaming Commission may  
28 include, without limitation:

29 (a) Requiring fingerprinting of an applicant or licensee, or other  
30 method of identification.

31 (b) Requiring information concerning an applicant's  
32 antecedents, habits and character.

33 (c) Prescribing the method and form of application which any  
34 applicant for a license issued pursuant to this chapter must follow  
35 and complete before consideration of his application by the Nevada  
36 Gaming Commission.

37 (d) Prescribing the permissible communications technology and  
38 requiring the implementation of border control technology that will  
39 ensure that a person cannot place a wager with a race book in this  
40 State from another state or another location where placing such a  
41 wager is illegal.

42 5. The Nevada Gaming Commission may appoint an Off-Track  
43 Pari-Mutuel Wagering Committee consisting of ~~nine~~ 11 persons  
44 who are licensed to engage in off-track pari-mutuel wagering. If the



Commission appoints such a Committee, it shall appoint to the Committee:

(a) Five members from a list of nominees provided by the State Association of Gaming Establishments whose members collectively paid the most gross revenue fees to the State pursuant to NRS 463.370 in the preceding year;

(b) ~~Two~~ **Three** members who, in the preceding year, paid gross revenue fees pursuant to NRS 463.370 in an amount that was less than the average amount of gross revenue fees paid by licensees engaged in off-track pari-mutuel wagering in the preceding year; and

(c) ~~Two~~ **Three** other members.

➔ If a vacancy occurs in a position on the Committee for any reason, including, but not limited to, termination of a member, the Commission shall appoint a successor member who satisfies the same criteria in paragraph (a), (b) or (c) that applied to the member whose position has been vacated.

6. If the Nevada Gaming Commission appoints an Off-Track Pari-Mutuel Wagering Committee pursuant to subsection 5, the Commission shall:

(a) Grant to the Off-Track Pari-Mutuel Wagering Committee the exclusive right to negotiate an agreement relating to off-track pari-mutuel wagering with:

(1) A person who is licensed or otherwise permitted to operate a wagering pool in another state; and

(2) A person who is licensed pursuant to chapter 464 of NRS as an operator of a system.

(b) Require the Off-Track Pari-Mutuel Wagering Committee to grant to each person licensed pursuant to this chapter to operate an off-track pari-mutuel race pool the right to receive, on a fair and equitable basis, all services concerning wagering in such a race pool that the Committee has negotiated to bring into or provide within this State.

7. The Nevada Gaming Commission shall, and it is granted the power to, demand access to and inspect all books and records of any person licensed pursuant to this chapter pertaining to and affecting the subject of the license.

**Sec. 22.** NRS 465.070 is hereby amended to read as follows:

465.070 It is unlawful for any person:

1. To alter or misrepresent the outcome of a game or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.

2. To place, increase or decrease a bet or to determine the course of play after acquiring knowledge, not available to all players, of the outcome of the game or any event that affects the



1 outcome of the game or which is the subject of the bet or to aid  
2 anyone in acquiring such knowledge for the purpose of placing,  
3 increasing or decreasing a bet or determining the course of play  
4 contingent upon that event or outcome.

5 3. To claim, collect or take, or attempt to claim, collect or take,  
6 money or anything of value in or from a gambling game, with intent  
7 to defraud, without having made a wager contingent thereon, or to  
8 claim, collect or take an amount greater than the amount won.

9 4. Knowingly to entice or induce another to go to any place  
10 where a gambling game is being conducted or operated in violation  
11 of the provisions of this chapter, with the intent that the other person  
12 play or participate in that gambling game.

13 5. To place or increase a bet after acquiring knowledge of the  
14 outcome of the game or other event which is the subject of the bet,  
15 including past-posting and pressing bets.

16 6. To reduce the amount wagered or cancel the bet after  
17 acquiring knowledge of the outcome of the game or other event  
18 which is the subject of the bet, including pinching bets.

19 7. To manipulate, with the intent to cheat, any component of a  
20 gaming device in a manner contrary to the designed and normal  
21 operational purpose for the component, including, but not limited to,  
22 varying the pull of the handle of a slot machine, with knowledge  
23 that the manipulation affects the outcome of the game or with  
24 knowledge of any event that affects the outcome of the game.

25 8. To offer, promise or give anything of value to anyone for the  
26 purpose of influencing the outcome of a race, sporting event, contest  
27 or game upon which a wager may be made, or to place, increase or  
28 decrease a wager after acquiring knowledge, not available to the  
29 general public, that anyone has been offered, promised or given  
30 anything of value for the purpose of influencing the outcome of the  
31 race, sporting event, contest or game upon which the wager is  
32 placed, increased or decreased.

33 9. To change or alter the normal outcome of any game played  
34 on an interactive gaming system *or a mobile gaming system* or the  
35 way in which the outcome is reported to any participant in the game.

36 **Sec. 23.** NRS 465.094 is hereby amended to read as follows:

37 465.094 The provisions of NRS 465.092 and 465.093 do not  
38 apply to a wager placed by a person for his own benefit or, without  
39 compensation, for the benefit of another that is accepted or received  
40 by, placed with, or sent, transmitted or relayed to:

41 1. A race book or sports pool that is licensed pursuant to  
42 chapter 463 of NRS, if the wager is accepted or received within this  
43 State and otherwise complies with all other applicable laws and  
44 regulations concerning wagering;



2. A person who is licensed to engage in off-track pari-mutuel wagering pursuant to chapter 464 of NRS, if the wager is accepted or received within this State and otherwise complies with subsection 3 of NRS 464.020 and all other applicable laws and regulations concerning wagering; ~~for~~

*3. A person who is licensed to operate a mobile gaming system pursuant to chapter 463 of NRS, if the wager is accepted or received within this State and otherwise complies with all other applicable laws and regulations concerning wagering; or*

4. Any other person or establishment that is licensed to engage in wagering pursuant to title 41 of NRS, if the wager is accepted or received within this State and otherwise complies with all other applicable laws and regulations concerning wagering.

**Sec. 24.** 1. This act becomes effective upon passage and approval.

2. Sections 17, 18 and 19 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.







