

SENATE BILL NO. 351—COMMITTEE ON JUDICIARY

MARCH 25, 2005

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing resort hotels and nonrestricted gaming licenses in certain counties. (BDR 41-1185)

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.

AN ACT relating to gaming; revising provisions governing resort hotels and nonrestricted gaming licenses in certain counties; revising the definition of “resort hotel” to include certain buildings where individual rooms, suites or units are under separate ownership or time share; prohibiting certain local governments from denying classification as a resort hotel to such buildings; 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.** NRS 463.01865 is hereby amended to read as
2 follows:
3 463.01865 “Resort hotel” means any ***of the following:***
4 ***1. Any*** building or group of buildings that is maintained as and
5 held out to the public to be a hotel where sleeping accommodations
6 are furnished to the transient public and that has:
7 ~~1-1~~ ***(a)*** More than 200 rooms available for sleeping
8 accommodations;
9 ~~1-2~~ ***(b)*** At least one bar with permanent seating capacity for
10 more than 30 patrons that serves alcoholic beverages sold by the
11 drink for consumption on the premises;



~~[3-]~~ (c) At least one restaurant with permanent seating capacity for more than 60 patrons that is open to the public 24 hours each day and 7 days each week; and

~~[4-]~~ (d) A gaming area within the building or group of buildings.

2. *In a county whose population is 400,000 or more, any building or group of buildings where individual rooms, suites or units in the building or group of buildings are under separate ownership or time share and used for individual or single-family residential purposes or made available to the transient public on a day-to-day basis for sleeping accommodations, or both, and that has:*

(a) *A gaming area within the building or group of building whose operator holds a nonrestricted license to operate games and gaming devices that was issued before December 31, 1977, and has been held continuously since it was issued;*

(b) *More than 500 rooms, suites or units under separate ownership or time share which are used for individual or single-family residential purposes or made available to the transient public on a day-to-day basis for sleeping accommodations, or both, subject to all applicable covenants, conditions and restrictions on such use;*

(c) *At least one bar with permanent seating capacity for more than 30 patrons that serves alcoholic beverages sold by the drink for consumption on the premises; and*

(d) *At least one restaurant with permanent seating capacity for more than 60 patrons that is open to the public 24 hours each day and 7 days each week.*

Sec. 2. 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 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]~~ *Except as otherwise provided in this subsection, 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. In a county whose population is 400,000 or more, the county or any city or town located within the county may not prohibit, restrict or otherwise preclude any building or group of buildings where individual rooms, suites or units in the building or group of buildings are under separate ownership or time share from being classified as a*



resort hotel if the building or group of buildings meets the requirements set forth in subsection 2 of NRS 463.01865.

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. 3. NRS 466.029 is hereby amended to read as follows:

466.029 **1.** "Resort hotel" means any building or group of buildings that is maintained as and held out to the public to be a hotel where sleeping accommodations are furnished to the transient public and that has:

~~(1)~~ **(a)** More than 1,000 rooms available for sleeping accommodations;

~~(2)~~ **(b)** At least one bar with permanent seating capacity for more than 30 patrons that serves alcoholic beverages sold by the drink for consumption on the premises;

~~(3)~~ **(c)** At least one restaurant with permanent seating capacity for more than 60 patrons that is open to the public 24 hours each day and 7 days each week; and

~~(4)~~ **(d)** A gaming area within the building or group of buildings.

2. *The term does not include any building or group of buildings that meets the requirements set forth in subsection 2 of NRS 463.01865 to be classified as a resort hotel for the purposes of chapter 463 of NRS.*

Sec. 4. This act becomes effective upon passage and approval.



