

SENATE BILL NO. 212—SENATOR SCHNEIDER (BY REQUEST)

MARCH 5, 2007

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the issuance of nonrestricted gaming licenses in certain counties. (BDR S-998)

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 the issuance of nonrestricted gaming licenses in certain counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 In 1991, the Nevada Legislature enacted legislation which provides that the
2 Nevada Gaming Commission is prohibited from granting a nonrestricted gaming
3 license for an establishment located in a county whose population is 100,000 or
4 more (currently Clark and Washoe Counties) unless the establishment is a resort
5 hotel. (Section 3 of chapter 485, Statutes of Nevada 1991, p. 1405; NRS 463.1605)
6 However, section 5 of chapter 485 contained an exemption to the new requirements
7 of the legislation for any establishment that holds or held a nonrestricted license
8 issued before July 1, 1992, unless the establishment ceases gaming operations for a
9 period of more than 2 years after July 1, 1992. (Section 5 of chapter 485, Statutes of
10 Nevada 1991, p. 1405) This bill amends section 5 of chapter 485 to provide that if
11 an establishment has ceased gaming operations for a period of more than 2 years
12 after July 1, 1992, and is therefore no longer exempt from the provision that only a
13 resort hotel may obtain a nonrestricted license, the establishment may seek to
14 reinstate its exemption by filing a request for a waiver with the State Gaming
15 Control Board. The exemption may be reinstated if the Nevada Gaming
16 Commission finds good cause for approval of the request for a waiver.



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

Section 1. Section 5 of chapter 485, Statutes of Nevada 1991, as last amended by section 17 of chapter 452, Statutes of Nevada 1997, at page 1712, is hereby amended to read as follows:

Sec. 5. 1. NRS 463.1605 does not apply to:

(a) Any application for a nonrestricted license filed with the state gaming control board before July 1, 1992, and approved by the Nevada gaming commission before December 31, 1999, provided that the nonrestricted license does not permit the operation of more games or slot machines at the establishment than is authorized for such a classification of establishment by local ordinance on the date that the nonrestricted license is approved.

(b) Any establishment that holds or held a nonrestricted license issued before July 1, 1992, provided that the nonrestricted license does not permit the operation of more games or slot machines at the establishment than is authorized for such a classification of establishment by local ordinance as of December 31, 1996.

2. ~~The~~ *Except as otherwise provided in subsection 3, the exemptions set forth in subsection 1 do not apply to an establishment that ceases gaming operations for a period of more than 2 years after July 1, 1992.*

3. *The exemptions set forth in subsection 1 apply to an establishment that ceases gaming operations for a period of more than 2 years after July 1, 1992, if:*

(a) *At the time of filing an application for a nonrestricted license with the State Gaming Control Board, a request for a waiver of the applicability of the provisions of subsection 2 is filed with the Board; and*

(b) *Upon recommendation of the Board and a finding of good cause for approval of the request for a waiver, the Nevada Gaming Commission approves the request for a waiver.*

4. NRS 463.1605 does not prohibit:

(a) The operation of a race book or sports pool at an establishment that was issued a license for such an operation before July 1, 1993, unless the establishment ceases its operation of the race book or sports pool for a period of more than 2 years.



1 (b) The movement of a race book or sports pool operation
2 that was issued a license before July 1, 1993, to any location
3 within the same county if the operation is otherwise permitted
4 at the new location.

5 **Sec. 2.** This act becomes effective upon passage and approval.

