

Amendment No. 246

Assembly Amendment to Assembly Bill No. 10 (BDR 41-329)

Proposed by: Assembly Committee on Judiciary

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

NCA/BAW



Date: 4/15/2013

A.B. No. 10—Revises provisions relating to certain crimes involving gaming.
(BDR 41-329)



ASSEMBLY BILL NO. 10—COMMITTEE ON JUDICIARY
(ON BEHALF OF THE STATE GAMING CONTROL BOARD)

PREFILED DECEMBER 19, 2012

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to certain crimes involving gaming.
(BDR 41-329)

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

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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 relating to the unlawful use or possession of certain devices in a ~~licensed gaming establishment; revising provisions relating to the unlawful possession, use, sale or manufacture of counterfeit items for the purposes of gaming or contests or promotions related to gaming;~~ **game**; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that it is unlawful for a person to use or possess with the intent to use, or to assist another person in using or possessing with the intent to use, certain devices to obtain an advantage at playing any game in a licensed gaming establishment. (NRS 465.075) **Section 1** of this bill: (1) provides that the prohibition applies to individuals and those acting in conjunction with others; ~~and~~ (2) **adds software or hardware, or any combination thereof, to the list of prohibited devices; (3) provides that the prohibition applies to any game that is offered by a licensee or affiliate; and (4) removes the definition of the term "advantage."**

~~Existing law also prohibits the possession, use, sale or manufacture of counterfeit chips, counterfeit debit instruments or other counterfeit wagering instruments in a gambling game. (NRS 465.080) Section 2 of this bill provides that the possession, sale or manufacture of such items that are intended to be used in a gambling game is unlawful. Section 2 also provides that it is unlawful to possess, use, sell or manufacture certain counterfeit items that are intended to be used to determine the outcome of a contest or promotional activity conducted by or on behalf of a gaming licensee.~~

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

Section 1. NRS 465.075 is hereby amended to read as follows:
465.075 ~~It is unlawful for any person~~ **, either solely or in conjunction with others,** to use, possess with the intent to use or assist another person in using

or possessing with the intent to use any computerized, electronic, electrical or mechanical device or any software or hardware, or any combination thereof, which is designed, constructed, altered or programmed to obtain an advantage at playing any game in a licensed gaming establishment or any game that is offered by a licensee or affiliate, including, without limitation, a device that:

- ~~1.~~ Projects the outcome of the game;
- ~~2.~~ Keeps track of cards played or cards prepared for play ~~in the game;~~
3. Analyzes the probability of the occurrence of an event relating to ~~the~~ the game; or
- ~~4.~~ Analyzes the strategy for playing or betting to be used in the game, except as may be made available as part of an approved game or otherwise permitted by the Commission.

~~12. As used in this section, "advantage" means a benefit obtained by one or more participants in a game through information or knowledge that is not made available as part of the game as approved by the Board or Commission.~~

Sec. 2. ~~NRS 465.080 is hereby amended to read as follows:~~

~~465.080 1. It is unlawful for any licensee, employee or other person, not a duly authorized employee of a licensee acting in furtherance of his or her employment within an establishment, to possess, use, or~~

~~(a) Possess, sell or manufacture counterfeit chips, counterfeit debit instruments or other counterfeit wagering instruments that are intended to be used in a gambling game, associated equipment or a cashless wagering system [.] ; or~~

~~(b) Use counterfeit chips, counterfeit debit instruments or other counterfeit wagering instruments in a gambling game, associated equipment or a cashless wagering system.~~

~~2. It is unlawful for any licensee, employee or other person, not a duly authorized employee of a licensee acting in furtherance of his or her employment within an establishment, to possess, use, sell or manufacture any counterfeit instruments, counterfeit tickets or other counterfeit items that are used or intended to be used to determine the outcome of any contest or promotional activity conducted by or on behalf of any licensee.~~

~~3. It is unlawful for any person, in playing or using any gambling game, associated equipment or cashless wagering system designed to be played with, receive or be operated by chips, tokens, wagering credits or other wagering instruments approved by the State Gaming Control Board or by lawful coin, legal tender of the United States of America:~~

~~(a) Knowingly to use other than chips, tokens, wagering credits or other wagering instruments approved by the State Gaming Control Board or lawful coin, legal tender of the United States of America, or to use coin or tokens not of the same denomination as the coin or tokens intended to be used in that gambling game, associated equipment or cashless wagering system; or~~

~~(b) To use any device or means to violate the provisions of this chapter.~~

~~4. It is unlawful for any person, not a duly authorized employee of a licensee acting in furtherance of such employment within an establishment, to have on his or her person or in his or her possession on or off the premises of any licensed gaming establishment any device intended to be used to violate the provisions of this chapter.~~

~~5. It is unlawful for any person, not a duly authorized employee of a licensee acting in furtherance of such employment within an establishment, to have on his or her person or in his or her possession on or off the premises of any licensed gaming establishment any key or device known to have been designed for the purpose of and suitable for opening, entering or affecting the operation of any gambling game,~~

~~cashless wagering system or drop box, or any electronic or mechanical device connected thereto, or for removing money or other contents therefrom.~~

~~6. It is unlawful for any person, not a duly authorized employee of a licensee acting in furtherance of such employment within an establishment, to have on his or her person or in his or her possession any paraphernalia for manufacturing slugs. As used in this subsection, "paraphernalia for manufacturing slugs" means the equipment, products and materials that are intended for use or designed for use in manufacturing, producing, fabricating, preparing, testing, analyzing, packaging, storing or concealing a counterfeit facsimile of the chips, tokens, debit instruments or other wagering instruments approved by the State Gaming Control Board or a lawful coin, legal tender of the United States, the use of which is unlawful pursuant to subsection 3. The term includes, but is not limited to:~~

- ~~(a) Lead or lead alloys;~~
- ~~(b) Molds, forms or similar equipment capable of producing a likeness of a gaming token or United States coin;~~
- ~~(c) Melting pots or other receptacles;~~
- ~~(d) Torches;~~
- ~~(e) Tongs, trimming tools or other similar equipment; and~~
- ~~(f) Equipment which can be reasonably demonstrated to manufacture facsimiles of debit instruments or wagering instruments approved by the State Gaming Control Board.~~

~~7. Possession of more than one of the devices, equipment, products or materials described in this section permits a rebuttable inference that the possessor intended to use them for cheating. (Deleted by amendment.)~~

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