

Amendment No. 404

Senate Amendment to Senate Bill No. 346 (BDR 41-1051)

Proposed by: Senate Committee on Judiciary

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

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of S.B. 346 (§ 4.5).

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: 4/19/2013

S.B. No. 346—Revises provisions relating to gaming. (BDR 41-1051)



SENATE BILL NO. 346—SENATOR BROWER

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to gaming. (BDR 41-1051)

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; ~~defining certain terms relating to gaming; revising provisions~~ ***requiring the Nevada Gaming Commission to adopt regulations governing the acceptance of certain wagers by a licensed race book or sports pool; requiring the Commission to study and report on certain issues related to the taxation of gaming; and providing other matters properly relating thereto.***

Legislative Counsel's Digest:

Under existing law, the Nevada Gaming Commission and the State Gaming Control Board are required to perform various acts relating to the regulation and control of gaming. (NRS 463.140) ~~Sections 2 and 3 of this bill define the terms "account wagering system" and "patron" for the purposes of the statutory provisions governing the licensing and control of gaming. Section 4 of this bill provides that on or after January 1, 2015, a licensed sports pool with an account wagering system may accept a wager of more than \$1,000 only if the wager is made through the account wagering system.~~ ***Section 1 of this bill requires the Commission to adopt regulations governing the acceptance of race book or sports pool wagers made by certain entities. Section 6 of this bill requires the Commission to study and report to the Legislature as to the appropriateness and potential revenue considerations of imposing fees and taxes on the overall amount wagered on race book and sports pool wagers.***

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

Section 1. Chapter 463 of NRS is hereby amended by adding thereto ~~the provisions set forth as sections 2, 3 and 4 of this act.~~ ***a new section to read as follows:***

1. The Commission shall, with the advice and assistance of the Board, adopt regulations authorizing the acceptance of race book and sports pool wagers made by an entity.

2. The regulations adopted by the Commission pursuant to this section may include, without limitation, provisions that:

(a) Require all members, partners, shareholders, investors and customers of any such entity to:

(1) Be registered with the Board in the manner prescribed by the Board; and

(2) Supply such information as the Commission requires.

(b) Provide that any member, partner, shareholder, investor or customer of an entity may be required to be licensed or found suitable by the Commission. Any person required to be licensed or found suitable must apply for a license or finding within 30 days after being requested to do so by the Commission. If any person required to be licensed or found suitable pursuant to this paragraph does not apply for such license or finding within 30 days after being requested to do so by the Commission, or if his or her license or the finding of his or her suitability is revoked after appropriate findings by the Commission, the entity with whom the person is associated shall terminate that association after receipt of written notice from the Commission. If the Commission suspends the finding of suitability of any member, partner, shareholder, investor or customer, the entity shall, immediately and for the duration of the suspension, suspend that person from any significant involvement with the gaming activities of the entity.

(c) Require any such entity to file with the Board, not less frequently than quarterly, any financial information concerning its activities or other information as required by the Commission.

3. The regulations adopted by the Commission pursuant to this section may impose reasonable fees, based on the actual cost of administration and enforcement, associated with the acceptance of race book and sports pool wagers made by an entity.

4. As used in this section, "entity" means an entity which is validly formed and existing under the laws of this State for the limited purpose of placing race book and sports pool wagers, provided that all members, partners, shareholders, investors and customers of the entity are reported to the Board.

~~Sec. 2. 1. "Account wagering system" means a system of wagering using telephone, computer or another method of wagering communication as approved by the Chair of the Board or his or her designee whose components:~~

~~(a) Are located in this State; and~~

~~(b) Include, without limitation, the systems operator, permanent information databases, system monitoring equipment, writers and patron service representatives.~~

~~2. As used in this section:~~

~~(a) "Communications technology" means any method used and the components employed by an establishment to facilitate the transmission of information, including, without limitation, transmission and reception by systems based on wireless network, wireless fidelity, wire, cable, radio, microwave, light, optics or computer data networks.~~

~~(b) "Wagering communication" means the transmission of a wager between a point of origin and a point of reception by aid of a communications technology. (Deleted by amendment.)~~

~~Sec. 3. 1. "Patron" means:~~

~~1. A natural person; or~~

~~2. An entity which is validly formed and existing under the laws of this State for the limited purpose of placing wagers through an account wagering system, provided that all members, partners, shareholders, investors and customers of the entity are reported to the Board. (Deleted by amendment.)~~

~~Sec. 4. 1. On or after January 1, 2015, a licensed sports pool with an account wagering system approved by the Commission may accept a wager of more than~~

~~\$1,000 only if the wager is made through the account wagering system.~~ (Deleted by amendment.)

Sec. 5. ~~NRS 462.012 is hereby amended to read as follows:~~
~~462.012 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 462.0122 to 462.01067, inclusive, and sections 2 and 3 of this act have the meanings ascribed to them in those sections.~~ (Deleted by amendment.)

Sec. 6. 1. The Nevada Gaming Commission shall, with the advice and assistance of the State Gaming Control Board, conduct a study to examine the appropriateness and potential revenue considerations of imposing fees and taxes on the overall amount wagered, rather than on the amount won by a gaming licensee, for all race book and sports pool wagers.

2. On or before January 31, 2015, the Commission shall submit to the Director of the Legislative Counsel Bureau for transmittal to the 78th Session of the Legislature a report concerning any findings pursuant to subsection 1.

Sec. 7. The Nevada Gaming Commission shall, on or before January 31, 2014, adopt regulations required pursuant to section 1 of this act.

Sec. 8. This act becomes effective upon passage and approval.