

## Amendment No. 49

Senate Amendment to Senate Bill No. 40 (BDR 41-353)

Proposed by: Senate Committee on Judiciary

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

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

NCA/BAW



Date: 3/31/2015

S.B. No. 40—Prohibits certain acts relating to wagering. (BDR 41-353)



SENATE BILL NO. 40—COMMITTEE ON JUDICIARY  
(ON BEHALF OF THE STATE GAMING CONTROL BOARD)

PREFILED DECEMBER 20, 2014

Referred to Committee on Judiciary

SUMMARY—Prohibits certain acts relating to wagering. (BDR 41-353)

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; prohibiting certain acts related to wagering; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that it is unlawful for a person to perform certain actions relating to gaming without having first procured, and thereafter maintaining, all required gaming licenses. (NRS 463.160) This bill additionally provides that it is unlawful for a person to : (1) receive any compensation or reward, or any percentage or share of the money or property played, for ~~to~~ (1) accepting or facilitating ***the acceptance of*** a bet or wager on the result of any ~~race~~ ***event held at a track involving a horse or other animal***, sporting event or ~~future contingent~~ ***other*** event, without having first procured, and thereafter maintaining, all required gaming licenses; (2) ~~accepting~~ ***accept*** or ~~facilitating~~ ***facilitate*** a bet or wager on the result of any ~~race~~ ***event held at a track involving a horse or other animal***, sporting event or ~~future contingent~~ ***other*** event that is placed ~~on behalf of~~ ***with*** a person who receives any compensation or reward, or any percentage or share of the money or property played, for accepting or facilitating such a bet or wager without having first procured, and thereafter maintaining, all required gaming licenses; ~~and~~ ***or*** (3) ~~transmitting~~ ***transmit*** or ~~delivering~~ ***deliver*** anything of value resulting from a bet or wager on the result of any ~~race~~ ***event held at a track involving a horse or other animal***, sporting event or ~~future contingent~~ ***other*** event with ~~for on behalf of~~ a person who receives any compensation or reward, or any percentage or share of the money or property played, for accepting or facilitating such a bet or wager without having first procured, and thereafter maintaining, all required gaming licenses. A person who violates any such provision is guilty of a category B felony.

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

**Section 1.** Chapter 465 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided by law, it is unlawful for a person to receive, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for*

*~~(a) Accepting~~ accepting or facilitating the acceptance of any bet or wager upon the result of any ~~race~~ event held at a track involving a horse or other animal, sporting event or ~~future-contingent~~ other event, as defined by regulations adopted by the Nevada Gaming Commission, without having first procured, and thereafter maintaining in effect, all federal, state, county and municipal gaming licenses as required by statute, regulation or ordinance or by the governing body of any unincorporated town.*

*~~(b) Accepting or facilitating~~*

*2. Except as otherwise provided by law, it is unlawful for a person to:*

*(a) Accept or facilitate any bet or wager that is placed with ~~for on behalf of~~ a person described in ~~paragraph (a)~~.*

*~~(c) Transmitting~~ subsection 1; or*

*(b) Transmit or ~~delivering~~ deliver anything of value resulting from a bet or wager to a person who has placed a bet or wager with ~~for on behalf of~~ a person described in ~~paragraph (a)~~.*

*~~2. A person who violates any provision of this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment, subsection 1.~~*

*3. The provisions of this section do not make it unlawful for a race book or sports pool that is licensed pursuant to chapter 463 of NRS to, without knowledge, accept a bet or wager from or pay a winning bet or wager to a person described in subsection 1 or 2.*

**Sec. 2. NRS 465.088 is hereby amended to read as follows:**

465.088 1. A person who violates any provision of NRS 465.070 to 465.085, inclusive, and section 1 of this act, is guilty of a category B felony and shall be punished:

(a) For the first offense, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.

(b) For a second or subsequent violation of any of these provisions, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$10,000. The court shall not suspend a sentence of imprisonment imposed pursuant to this paragraph, or grant probation to the person convicted.

2. A person who attempts, or two or more persons who conspire, to violate any provision of NRS 465.070 to 465.085, inclusive, and section 1 of this act, each is guilty of a category B felony and shall be punished by imposing the penalty provided in subsection 1 for the completed crime, whether or not he or she personally played any gambling game or used any prohibited device.