

Amendment No. 663

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| Assembly Amendment to Senate Bill No. 40 First Reprint | (BDR 41-353) |
| Proposed by: Assembly 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.



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 accepting ~~for facilitating the acceptance of~~ a bet or wager on the result of any event held at a track involving a horse or other animal, sporting event or other event, without having first procured, and thereafter maintaining, all required gaming licenses; (2) accept or facilitate a bet or wager on the result of any event held at a track involving a horse or other animal, sporting event or other event that is placed 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; or (3) transmit or deliver anything of value resulting from a bet or wager on the result of any event held at a track involving a horse or other animal, sporting event or other event 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. 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 accepting ~~for facilitating the acceptance of~~ any bet or wager upon the result of any event held at a track

1 *involving a horse or other animal, sporting event or other event, as defined by*
2 *regulations adopted by the Nevada Gaming Commission, without having first*
3 *procured, and thereafter maintaining in effect, all federal, state, county and*
4 *municipal gaming licenses as required by statute, regulation or ordinance or by*
5 *the governing body of any unincorporated town.*

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

7 (a) *Accept or facilitate any bet or wager that is placed with a person*
8 *described in subsection 1; or*

9 (b) *Transmit or deliver anything of value resulting from a bet or wager to a*
10 *person who has placed a bet or wager with a person described in subsection 1.*

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

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

16 465.088 1. A person who violates any provision of NRS 465.070 to
17 465.085, inclusive, *and section 1 of this act*, is guilty of a category B felony and
18 shall be punished:

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

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

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