ASSEMBLY BILL NO. 67–COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA GAMING CONTROL BOARD)

PREFILED NOVEMBER 16, 2026

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to gaming. (BDR 41-114)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: 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; establishing provisions relating to the administrative approval of certain applications for a restricted license; prohibiting a licensee from using a device, software or hardware for certain purposes relating to tracking cards; revising certain definitions relating to gaming; establishing provisions relating to the administrative approval of an order of registration of a publicly traded corporation and certain other business organizations owned or controlled by a publicly traded corporation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law defines a "restricted license" as a state gaming license to operate not more than 15 slot machines at an establishment in which the operation of slot machines is incidental to the primary business of the establishment. Existing law also provides that, in a county whose population is 100,000 or more (currently Clark and Washoe Counties), a restricted license may only be granted at certain establishments if the establishment contains: (1) a minimum of 2,500 square feet of indoor space available for patrons; (2) a permanent, physical bar; and (3) a restaurant which meets certain requirements. (NRS 463.0189, 463.161) **Section 3** of this bill authorizes the Chair of the Nevada Gaming Control Board, subject to regulations adopted by the Nevada Gaming Commission, to administratively approve an application for a restricted license if the establishment is wholly owned by one or more persons who wholly own five or more establishments for which a restricted license has been issued and such persons have already been licensed or

found suitable by the Commission. **Section 3** additionally authorizes the regulations to establish certain duties, powers and restrictions applicable to the Board and Commission relating to the process for administratively approving an application for a restricted license. **Sections 10-16** of this bill make conforming changes relating to the process of administratively approving an application for a restricted license.

Existing law defines "communications technology" for purposes of mobile gaming in a different manner than the definition of "communications technology" for purposes of interactive gaming. (NRS 463.0155, 463.016425, 463.016427) **Sections 7-9** of this bill remove these inconsistent definitions of "communications technology" and establish a standard definition in **section 2** of this bill that is applicable to both mobile gaming and interactive gaming.

Existing law provides, in relevant part, that it is unlawful for a person to use, possess with the intent to use or assist another person in using or possessing with the intent to use at a licensed gaming establishment or in any game that is offered by the licensee or its affiliate a device that tracks cards played in a game or prepared for play in a game unless the tracking is part of an approved game or is otherwise authorized by the Commission. (NRS 465.075) **Section 4** of this bill additionally prohibits a licensee from using a device, software or hardware that tracks cards played in a game or prepared for play in a game unless: (1) the tracking is part of an approved game or is otherwise authorized by the Commission; or (2) the licensee uses the tracking for historical or statistical purposes and such information is only available to the licensee after specified periods. **Section 18** of this bill makes a conforming change to provide that the general prohibition on using devices to track cards is inapplicable to licensees who use such devices in the manner prescribed by **section 4**.

Existing law defines "associated equipment" as any equipment or mechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming, any game, race book or sports pool that would not otherwise qualify as a gaming device. (NRS 463.0136) **Section 6** of this bill provides that associated equipment also includes software used remotely or directly in connection with gaming, any game, race book or sports pool that would not otherwise qualify as a gaming device.

Existing law also establishes an exclusive list of things that qualify as associated equipment in the definition of "associated equipment." (NRS 463.0136) **Section 6** provides that the list is non-exclusive.

Existing law defines "gaming device" as any object used remotely or directly in connection with gaming or any game which affects the results of a wager by determining win or loss. (NRS 463.0155) **Section 7** provides that a gaming device: (1) includes software used remotely or directly in connection with gaming or any game which affects the results of a wager by determining win or loss; and (2) does not include a personal communication device used in mobile gaming or interactive gaming.

Existing law provides that the definition of "gaming device" excludes associated equipment and conversely the definition of "associated equipment" excludes gaming devices. (NRS 463.0136, 463.0155) **Section 7** removes the exclusion relating to associated equipment from the definition of "gaming device," thereby eliminating the circular exclusions between the definitions.

Existing law provides that if certain business organizations applying for or holding a state gaming license are or become owned or controlled by a publicly traded corporation, or if a publicly traded corporation applies for or holds a gaming license, the publicly traded corporation is required, in relevant part, to apply for an order of registration from the Commission which describes the affiliated companies and intermediary companies of the publicly traded corporation and the licenses or approvals obtained by those entities. (NRS 463.635) **Section 17** of this bill

authorizes an order of registration to include exemptions, waivers, restrictions, conditions, limitations and other requirements or prohibitions authorized by law.

Existing law additionally requires such a publicly traded corporation to apply to the Commission for an amended or revised order of registration if the information set forth in the order of registration changes. (NRS 463.635) **Section 17** authorizes the Chair of the Board to administratively approve an amendment to or revision of an order of registration.

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.

Sec. 2. ***"Communications technology" means a 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, including, without limitation, the Internet and intranets.***

Sec. 3. ***1. The Chair of the Board may administratively approve an application for a restricted license pursuant to the regulations adopted by the Commission if the establishment for which the restricted license will be issued is wholly owned by one or more persons who wholly own five or more establishments for which a restricted license has been issued and such persons have already been licensed or found suitable by the Commission.***

2. The regulations adopted pursuant to subsection 1 may:

(a) Require an applicant described in subsection 1 to meet the qualifications for licensure prescribed by NRS 463.170 and any other qualifications established pursuant to the provisions of this chapter and any regulations adopted pursuant thereto;

(b) Require the licensee to comply with any provisions of this chapter and the regulations adopted pursuant thereto that are applicable to a restricted license;

(c) Authorize the Chair of the Board to refer an application described in subsection 1 to the Board and the Commission for consideration, in lieu of granting administrative approval pursuant to this section;

(d) Prohibit the Chair of the Board from denying an application described in subsection 1 and instead require the Chair of the Board to refer the application to the Board and the Commission for consideration;

(e) Authorize the Chair of the Commission, or a Commissioner designated by the Chair, to require that an application described in subsection 1 be considered by the Board and the Commission;

(f) Authorize an applicant described in subsection 1 to request that the Board and the Commission consider the application;

(g) Authorize the Chair of the Board to condition, limit or restrict a restricted license that is administratively approved by the Chair pursuant to this section;

(h) Require a restricted license that is administratively approved pursuant to this section to be activated within a specified period from the date of approval;

(i) Require the Board to post a notice on its Internet website containing a list of each application for a restricted license that was administratively approved pursuant to this section;

(j) Authorize the Chair of the Board to administratively approve a license or registration described in NRS 463.530, 463.569, 463.5735, 463.585 or 463.595 in connection with an application described in subsection 1; and

(k) Include any other provisions deemed necessary to carry out the provisions of this section.

Sec. 4. ***1. Except as otherwise provided in subsection 2, a licensee shall not, between the time when cards are shuffled for a game and the time when cards are reshuffled or otherwise removed from play in the game, use a device, software or hardware, or any combination thereof, to track cards played or cards prepared for play in a game.***

2. A licensee may use a device, software or hardware, or any combination thereof, to track cards played or prepared for play in a game if the device, software or hardware is:

(a) Made available as part of an approved game or is otherwise authorized by the Commission; or

(b) Used to collect historical or statistical information and the licensee does not have access to that information between the time when the cards are shuffled for the game until the earlier of:

(1) The time when the cards are reshuffled or otherwise removed from play in the game; or

(2) Ten minutes after the conclusion of the play involving the cards.

Sec. 5. NRS 463.013 is hereby amended to read as follows:

463.013 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 463.0133 to 463.01967, inclusive, ***and section 2 of this act*** have the meanings ascribed to them in those sections.

Sec. 6. NRS 463.0136 is hereby amended to read as follows:

463.0136 ***1.*** "Associated equipment" means any equipment ***, software*** or mechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming, any game, race book or sports pool that would not otherwise be classified as a gaming device ***.*** ~~[, including, dice, playing]~~

2. The term includes, without limitation:

(a) Dice;

(b) Playing cards ~~[, links]~~ ***;***

(c) Links which connect to progressive slot machines ~~[, inter-casino]~~ ***;***

(d) Inter-casino linked systems ~~[, equipment]~~ ***;***

(e) Equipment which affects the proper reporting of gross revenue ~~[, computerized]~~ ***;***

(f) Computerized systems of betting at a race book or sports pool ~~[, computerized]~~ ***;***

(g) Computerized systems for monitoring slot machines ~~[and devices]~~ ***; and***

(h) Devices for weighing or counting money.

Sec. 7. NRS 463.0155 is hereby amended to read as follows:

463.0155 ***1.*** "Gaming device" means any object ***or software that affects the results of a wager by determining win or loss and is*** used remotely or directly in connection with gaming ***, including mobile gaming or interactive gaming,*** or any game ***.*** ~~[which affects the result of a wager by determining win or loss and which does not otherwise constitute associated equipment.]~~

2. The term includes, without limitation:

~~[1.]~~ ***(a)*** A slot machine.

~~[2. Mobile gaming.~~

~~3.]~~ ***(b) A roulette wheel, money wheel, Big 6 wheel or similar device.***

(c) A collection of two or more of the following components:

~~[(a)]~~ ***(1)*** An assembled electronic circuit which cannot be reasonably demonstrated to have any use other than in a slot machine;

~~[(b)]~~ ***(2)*** A cabinet with electrical wiring and provisions for mounting a coin, token or currency acceptor and provisions for mounting a dispenser of coins, tokens or anything of value;

~~[(c)]~~ ***(3)*** An assembled mechanical or electromechanical display unit intended for use in gambling; or

~~[(d)]~~ ***(4)*** An assembled mechanical unit which cannot be demonstrated to have any use other than in a slot machine.

~~[4.]~~ ***(d)*** Any object which may be connected to or used with a slot machine to alter the normal criteria of random selection or affect the outcome of a game.

~~[5.]~~ ***(e)*** A system for the accounting or management of any game in which the result of the wager is determined electronically by using any combination of hardware or software for computers.

~~[6.]~~ ***(f)*** A control program.

~~[7.]~~ ***(g)*** Any combination of one of the components set forth in ~~[paragraphs (a)]~~ ***subparagraphs (1)*** to ~~[(d),]~~ ***(4),*** inclusive, of ~~[subsection 3]~~ ***paragraph (c)*** and any other component which the Commission determines by regulation to be a machine ***that:***

(1) Affects the results of a wager by determining win or loss; and

(2) Is used directly or remotely in connection with gaming ***, including mobile gaming or interactive gaming,*** or any game ***.*** ~~[which affects the results of a wager by determining a win or loss.~~

~~8.]~~ ***(h)*** Any object that has been determined to be a gaming device pursuant to regulations adopted by the Commission.

~~[9.]~~ ***3. The term does not include a personal communication device used in connection with mobile gaming or interactive gaming.***

4. As used in this section:

(a) "Control program" means any software, source language or executable code which affects the result of a wager by determining win or loss as determined pursuant to regulations adopted by the Commission.

(b) "Mobile gaming" means the conduct of gambling games through communications devices operated solely in an establishment which holds a nonrestricted gaming license and which operates at least 100 slot machines and at least one other game by the use of communications technology that ~~[allows]~~ ***:***

(1) Allows a person to transmit information to a computer to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information ~~[. For the purposes of this paragraph, "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. The term does not include the Internet.]~~ ***;***

(2) Ensures that the player is located on the premises of the establishment; and

(3) Is connected to the communications device through the intranet.

(c) "Personal communication device" means a mobile phone, electronic tablet, computer or other device that is commercially

available and has not been manufactured specifically for use in connection with mobile gaming or interactive gaming.

Sec. 8. NRS 463.016425 is hereby amended to read as follows:

463.016425 1. "Interactive gaming" means the conduct of gambling games through the use of communications technology that allows a person, utilizing money, checks, electronic checks, electronic transfers of money, credit cards, debit cards or any other instrumentality, to transmit to a computer information to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information.

2. The term ~~[:~~

~~(a) Includes,]~~ ***includes,*** without limitation, Internet poker.

~~[(b) Does]~~

3. The term does not include the operation of a race book or sports pool that uses communications technology approved by the Board pursuant to regulations adopted by the Commission to accept wagers originating within this ~~[state]~~ ***State*** for races, or sporting events or other events.

~~[2. As used in this section, "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 wire, cable, radio, microwave, light, optics or computer data networks, including, without limitation, the Internet and intranets.]~~

Sec. 9. NRS 463.016427 is hereby amended to read as follows:

463.016427 ~~[1.]~~ "Interactive gaming facility" means any Internet website, or similar communications facility in which transmissions may cross any state's boundaries, through which any person operates interactive gaming through the use of communications technology.

~~[2. As used in this section, "communications technology" has the meaning ascribed to it in NRS 463.016425.]~~

Sec. 10. NRS 463.170 is hereby amended to read as follows:

463.170 1. ~~[Any]~~ ***Except as otherwise provided in section 3 of this act, a*** person who the Commission determines is qualified to receive a license, to be found suitable or to receive any approval required under the provisions of this chapter, or to be found suitable regarding the operation of a charitable lottery under the provisions of chapter 462 of NRS, having due consideration for the proper protection of the health, safety, morals, good order and general welfare of the inhabitants of the State of Nevada and the declared

policy of this State, may be issued a state gaming license, be found suitable or receive any approval required by this chapter, as appropriate. The burden of proving ~~[an applicant's]~~ ***the*** qualification ***of an applicant*** to receive any license, be found suitable or receive any approval required by this chapter is on the applicant.

2. ~~[An]~~ ***Except as otherwise provided in section 3 of this act, an*** application to receive a license or be found suitable must not be granted unless the Commission is satisfied that the applicant is:

(a) A person of good character, honesty and integrity;

(b) A person whose prior activities, criminal record, if any, reputation, habits and associations do not pose a threat to the public interest of this State or to the effective regulation and control of gaming or charitable lotteries, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of gaming or charitable lotteries or in the carrying on of the business and financial arrangements incidental thereto; and

(c) In all other respects qualified to be licensed or found suitable consistently with the declared policy of the State.

3. ~~[A]~~ ***Except as otherwise provided in section 3 of this act, a*** license to operate a gaming establishment must not be granted unless the applicant has satisfied the Commission that:

(a) The applicant has adequate business probity, competence and experience, in gaming or generally; and

(b) The proposed financing of the entire operation is:

(1) Adequate for the nature of the proposed operation; and

(2) From a suitable source.

➥ Any lender or other source of money or credit which the Commission finds does not meet the standards set forth in subsection 2 may be deemed unsuitable.

4. An application to receive a license or be found suitable constitutes a request for a determination of the ~~[applicant's]~~ general character, integrity, and ability ***of an applicant*** to participate or engage in, or be associated with gaming or the operation of a charitable lottery, as appropriate. Any written or oral statement made in the course of an official proceeding of the Board or Commission by any member thereof or any witness testifying under oath which is relevant to the purpose of the proceeding is absolutely privileged and does not impose liability for defamation or constitute a ground for recovery in any civil action.

5. ~~[The]~~ ***Except as otherwise provided in section 3 of this act, the*** Commission may in its discretion grant a license to:

(a) A publicly traded corporation which has complied with the provisions of NRS 463.625 to 463.643, inclusive;

(b) Any other corporation which has complied with the provisions of NRS 463.490 to 463.530, inclusive;

(c) A limited partnership which has complied with the provisions of NRS 463.564 to 463.571, inclusive; and

(d) A limited-liability company which has complied with the provisions of NRS 463.5731 to 463.5737, inclusive.

6. No limited partnership, except one whose sole limited partner is a publicly traded corporation which has registered with the Commission, or a limited-liability company, or business trust or organization or other association of a quasi-corporate character is eligible to receive or hold any license under this chapter unless all persons having any direct or indirect interest therein of any nature whatever, whether financial, administrative, policymaking or supervisory, are individually qualified to be licensed under the provisions of this chapter.

7. The Commission may, by regulation:

(a) Limit the number of persons who may be financially interested and the nature of their interest in any corporation, other than a publicly traded corporation, limited partnership, limited-liability company or other organization or association licensed under this chapter; and

(b) Establish such other qualifications for licenses as it may, in its discretion, deem to be in the public interest and consistent with the declared policy of the State.

8. Any person granted a license or found suitable by the Commission ***or administratively approved for a license pursuant to section 3 of this act*** shall continue to meet the applicable standards and qualifications set forth in this section and any other qualifications established by the Commission by regulation. The failure to continue to meet such standards and qualifications constitutes grounds for disciplinary action.

Sec. 11. NRS 463.482 is hereby amended to read as follows:

463.482 As used in NRS 463.160 to 463.170, inclusive, ***and section 3 of this act, NRS*** 463.368, 463.386, 463.482 to 463.645, inclusive, and 463.750, unless the context otherwise requires, the words and terms defined in NRS 463.4825 to 463.488, inclusive, have the meanings ascribed to them in those sections.

Sec. 12. NRS 463.540 is hereby amended to read as follows:

463.540 After licensing pursuant to NRS 463.170 ~~[,]~~ ***or section 3 of this act,*** a corporation, other than a publicly traded corporation:

1. Before it may issue or transfer any security to any person, shall file a report of its proposed action with the Board and Commission, which report must request the approval of the Commission. The Commission shall have 90 days within which to approve or deny the request. If the Commission denies the request, the corporation shall not issue or transfer any such security.

2. Shall file a report of each change of the corporate officers and the members of its board of directors with the Board and Commission within 30 days after the change becomes effective. The Commission has 90 days within which to approve or disapprove the change. During the 90-day period and thereafter if the Commission does not disapprove the change, the officer or member of the board of directors is entitled to exercise all powers of the office to which the officer or member was so elected or appointed.

Sec. 13. NRS 463.569 is hereby amended to read as follows:

463.569 1. Every general partner of, and every limited partner with more than a 5 percent ownership interest in, a limited partnership which holds a state gaming license must be licensed individually, according to the provisions of this chapter, and if, in the judgment of the Commission, the public interest will be served by requiring any other limited partners or any or all of the ~~[limited partnership's]~~ lenders, holders of evidence of indebtedness, underwriters, key executives, agents or employees ***of the limited partnership*** to be licensed, the limited partnership shall require those persons to apply for a license in accordance with the laws and requirements in effect at the time the Commission requires the licensing. ~~[Publicly]~~

2. A publicly traded ~~[corporations]~~ ***corporation*** which ~~[are]~~ ***is a*** limited ~~[partners]~~ ***partner*** of ***a*** limited ~~[partnerships are]~~ ***partnership is*** not required to be licensed ~~[,]~~ ***pursuant to this section,*** but shall comply with NRS 463.635 to 463.645, inclusive.

3. A person who is required to be licensed by this section as a general or limited partner shall not receive that position until the person secures the required approval ~~[of the Commission.]~~ ***pursuant to this section or section 3 of this act.***

4. A person who is required to be licensed pursuant to a decision of the Commission shall apply for a license within 30 days after the Commission requests the person to do so.

~~[2.]~~ ***5.*** All limited partners seeking to hold a 5 percent or less ownership interest in a limited partnership, other than a publicly traded limited partnership, which hold or apply for a state gaming license, must register in that capacity with the Board and submit to the ~~[Board's]~~ jurisdiction ~~[. Such]~~ ***of the Board.***

6. A registration ***described in subsection 5*** must be made on forms prescribed by the Chair of the Board.

7. The Chair of the Board may require a registrant ***described in subsection 5*** to apply for licensure at any time in the ~~[Chair's]~~ discretion ~~[.~~

~~3.]~~ ***of the Chair.***

8. The Commission may, with the advice and assistance of the Board, adopt such regulations as it deems necessary to carry out the provisions of ~~[subsection 2.]~~ ***subsections 5, 6 and 7.***

Sec. 14. NRS 463.5735 is hereby amended to read as follows:

463.5735 1. Every member and transferee of ~~[a member's]~~ ***the*** interest ***of a member*** with more than a 5 percent ownership interest in a limited-liability company, and every director and manager of a limited-liability company which holds or applies for a state gaming license, must be licensed individually according to the provisions of this chapter.

2. All members seeking to hold a 5 percent or less ownership interest in a limited-liability company, other than a publicly traded limited-liability company, which hold or apply for a state gaming license, must register in that capacity with the Board and submit to the ~~[Board's]~~ jurisdiction ~~[. Such]~~ ***of the Board.***

3. A registration ***described in subsection 2*** must be made on forms prescribed by the Chair of the Board.

4. The Chair of the Board may require a registrant ***described in subsection 2*** to apply for licensure at any time in the ~~[Chair's]~~ discretion ~~[.~~

~~3.]~~ ***of the Chair.***

5. If, in the judgment of the Commission, the public interest will be served by requiring any members with a 5 percent or less ownership interest in a limited-liability company, or any of the ~~[limited-liability company's]~~ lenders, holders of evidence of indebtedness, underwriters, key executives, agents or employees ***of the limited-liability company*** to be licensed:

(a) The limited-liability company shall require those persons to apply for a license in accordance with the laws and requirements in effect at the time the Commission requires the licensing; and

(b) Those persons shall apply for a license within 30 days after being requested to do so by the Commission.

~~[4.]~~ ***6.*** A publicly traded corporation which is a member of a limited-liability company is not required to be licensed, but shall comply with NRS 463.635 to 463.645, inclusive.

~~[5. No]~~

7. A person may ***not*** become a member or a transferee of ~~[a member's]~~ ***any*** interest ***of a member*** in a limited-liability company which holds a license until the person secures the required approval ~~[of the Commission.~~

~~6.]~~ ***pursuant to this section or section 3 of this act.***

8. A director or manager of a limited-liability company shall apply for a license within 30 days after assuming office.

~~[~~7.~~]~~ ***9.*** The Commission may, with the advice and assistance of the Board, adopt such regulations as it deems necessary to carry out the provisions of ~~[~~subsection~~]~~ ***subsections*** 2 ~~[~~.~~]~~ ***, 3 and 4.***

Sec. 15. NRS 463.585 is hereby amended to read as follows:

463.585 1. ~~[~~If~~]~~ ***Except as otherwise provided in section 3 of this act, if*** a corporation, partnership, limited partnership, limited-liability company or other business organization applying for or holding a license is or becomes a subsidiary, each holding company and each intermediary company with respect thereto must:

(a) Qualify to do business in ~~[~~the~~]~~ ***this*** State ***.*** ~~[~~of Nevada.~~]~~

(b) If it is a corporation, register with the Commission and furnish the Board:

(1) A complete list of all stockholders when it first registers, and annually thereafter, within 30 days after the annual meeting of the stockholders of the corporation, showing the number of shares held by each.

(2) The names of all corporate officers within 30 days of their appointment.

(3) The names of all members of the ~~[~~Board~~]~~ ***board*** of ~~[~~Directors~~]~~ ***directors*** within 30 days of their election.

(c) If it is a firm, partnership, trust or other form of business organization, it must register with the Commission and furnish the Board such analogous information as the Commission may prescribe.

2. The Board or the Commission may in its discretion make such investigations concerning the officers, directors, underwriters, security holders, partners, principals, trustees or direct or beneficial owners of any interest in any holding company or intermediary company as it deems necessary, either at the time of initial registration or at any time thereafter.

3. If at any time the Commission finds that any person owning, controlling or holding with power to vote any part of any class of security of, or any interest in, any holding company or intermediary company is unsuitable to be connected with a licensed gaming enterprise, ~~[~~it~~]~~ ***the Commission*** shall so notify the unsuitable person, the holding company or intermediary company, or both.

4. Upon receipt of a notice of a determination of unsuitability pursuant to subsection 3:

(a) The unsuitable person shall immediately offer the security to the issuing corporation, or the interest to the firm, partnership, trust or other business organization, for purchase ~~[~~.~~]~~ ***; and***

(b) The corporation shall purchase the security so offered, or the firm, partnership, trust or other business organization shall purchase the interest so offered, for cash at fair market value within 10 days after the date of the offer.

~~[4.]~~ ***5.*** Beginning upon the date when the Commission serves notice of a determination of unsuitability pursuant to subsection 3, it is unlawful for the unsuitable person:

(a) To receive any dividend or interest upon any such securities, or any dividend, payment or distribution of any kind from any holding company or intermediary company;

(b) To exercise, directly or indirectly or through any proxy, trustee or nominee, any voting right conferred by such securities or interest; or

(c) To receive any remuneration in any form from the corporation, partnership, limited partnership, limited-liability company or other business organization holding a license or from any holding company or intermediary company with respect thereto, for services rendered or otherwise.

~~[5.]~~ ***6.*** Every security issued by a holding company or intermediary company which directly or indirectly:

(a) Owns;

(b) Has the power or right to control; or

(c) Holds with power to vote,

➥ any part of the outstanding equity securities of a corporation holding a gaming license or the interests in a partnership, limited partnership, limited-liability company or other business organization holding a gaming license shall bear a statement, on both sides of the certificate evidencing such security, of the restrictions imposed by this section.

~~[6.]~~ ***7.*** A holding company or intermediary company subject to subsection 1 shall not make any public offering of any of its securities unless such public offering has been approved by the Commission.

~~[7.]~~ ***8.*** The Commission may, at any time and from time to time, by general regulation or selectively, impose on any holding company or intermediary company any requirement not inconsistent with law which it may deem necessary in the public interest. Without limiting the generality of the preceding sentence, any such requirement may deal with the same subject matter as, but be more stringent than, the requirements imposed by NRS 463.482 to 463.645, inclusive.

Sec. 16. NRS 463.595 is hereby amended to read as follows:

463.595 1. Each officer, employee, director, partner, principal, manager, member, trustee or direct or beneficial owner of any interest in any holding company or intermediary company, who the Commission determines is or is to become engaged in the administration or supervision of, or any other significant involvement with, the activities of a licensee, must be found suitable therefor and may be required to be licensed by the Commission ~~[.]~~

or administratively approved for a license pursuant to section 3 of this act.

2. If any officer, employee, director, partner, principal, manager, member, trustee or direct or beneficial owner required to be found suitable pursuant to subsection 1 fails to apply for a finding of suitability or a gaming license within 30 days after being requested so to do by the Commission, is not found suitable or is denied a license 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 holding company or intermediary company, or both, shall immediately remove that person from any position in the administration or supervision of, or any other significant involvement with, the activities of a licensee. If the Commission suspends the suitability or license of any officer, employee, director, partner, principal, manager, member, trustee or owner, the holding company or intermediary company, or both, shall, immediately and for the duration of the suspension, suspend the person from performing any duties in administration or supervision of the activities of the licensee and from any other significant involvement therewith.

Sec. 17. NRS 463.635 is hereby amended to read as follows:

463.635 1. If a corporation, partnership, limited partnership, limited-liability company or other business organization applying for or holding a state gaming license is or becomes owned in whole or in part or controlled by a publicly traded corporation, or if a publicly traded corporation applies for or holds a state gaming license, the publicly traded corporation shall:

(a) Maintain a ledger in the principal office of its subsidiary which is licensed to conduct gaming in this ~~[state,]~~ ***State,*** which must:

(1) Reflect the ownership of record of each outstanding share of any class of equity security issued by the publicly traded corporation. The ledger may initially consist of a copy of its latest list of equity security holders and thereafter be maintained by adding a copy of such material as it regularly receives from the transfer agent for its equity securities of any class which are outstanding.

(2) Be available for inspection by the Board and the Commission and their authorized agents at all reasonable times without notice.

(b) Register with the Commission and provide the following information to the Board:

(1) The organization, financial structure and nature of the business of the publicly traded corporation, including the names of all officers, directors and any employees actively and directly

engaged in the administration or supervision of the activities of the gaming licensee, and the names, addresses and number of shares held of record by holders of its equity securities.

(2) The rights and privileges accorded the holders of different classes of its authorized equity securities.

(3) The terms on which its equity securities are to be, and during the preceding 3 years have been, offered by the corporation to the public or otherwise initially issued by it.

(4) The terms and conditions of all its outstanding loans, mortgages, trust deeds, pledges or any other indebtedness or security device, directly relating to the gaming activities of the gaming licensee.

(5) The extent of the equity security holdings of record in the publicly traded corporation of all officers, directors, underwriters and persons owning of record equity securities of any class of the publicly traded corporation, and any payment received by any such person from the publicly traded corporation for each of its 3 preceding fiscal years for any reason whatever.

(6) Remuneration exceeding $40,000 per annum to persons other than directors and officers who are actively and directly engaged in the administration or supervision of the gaming activities of the gaming licensee.

(7) Bonus and profit-sharing arrangements of the publicly traded corporation directly or indirectly relating to the gaming activities of the gaming licensee.

(8) Management and service contracts of the publicly traded corporation directly or indirectly relating to the gaming activities of the gaming licensee.

(9) Options existing or from time to time created in respect of its equity securities.

(10) Balance sheets, certified by independent public accountants, for at least the 3 preceding fiscal years, or if the publicly traded corporation has not been incorporated for a period of 3 years, balance sheets from the time of its incorporation. These balance sheets may be those filed by it with or furnished by it to the Securities and Exchange Commission.

(11) Profit and loss statements, certified by independent certified public accountants, for at least the 3 preceding fiscal years, or, if the publicly traded corporation has not been incorporated for a period of 3 years, profit and loss statements from the time of its incorporation. These profit and loss statements may be those filed by it with or furnished by it to the Securities and Exchange Commission.

(12) Any further information within the knowledge or control of the publicly traded corporation which either the Board or

the Commission may deem necessary or appropriate for the protection of this ~~[state,]~~ ***State,*** or licensed gambling, or both. The Board or the Commission may make such investigation of the publicly traded corporation or any of its officers, directors, security holders or other persons associated therewith as it deems necessary.

(c) Apply for an order of registration from the Commission which must set forth a description of the ~~[publicly traded corporation's]~~ affiliated companies and intermediary companies ~~[,]~~ ***of the publicly traded corporation*** and the various gaming licenses and approvals obtained by those entities. The Commission may issue an order of registration upon receipt of a proper application. ~~[If]~~ ***An order for registration may include, without limitation, any exemption, waiver, restriction, condition, limitation or other requirement or prohibition prescribed by this chapter. Except as otherwise provided in this paragraph, if*** the information set forth in an order of registration changes, the publicly traded corporation ~~[shall]~~ ***must*** apply for and the Commission may issue amendments to and revisions of the order of registration to reflect the changes. ***The Chair of the Board may administratively approve an amendment to or revision of an order of registration if the amendment or revision is necessary because of a transaction approved pursuant to this chapter.***

(d) If the publicly traded corporation is a foreign corporation, qualify to do business in this ~~[state.]~~ ***State.***

2. If the Board determines that a publicly traded corporation registered with the Commission, or any of its affiliates or intermediary companies, have ceased engaging in gaming activities in ~~[Nevada,]~~ ***this State,*** the Board may, upon its own motion, recommend that the Commission deregister the publicly traded corporation. Before making such a recommendation for deregistration, the Board shall provide at least 30 days' notice to the publicly traded corporation that ~~[it]~~ ***the Board*** intends to move for deregistration. If the Board is unable to confirm that notice has been received by the publicly traded corporation, the Board shall provide notice to the last known address of the registered agent of the publicly traded corporation. If the Commission issues an order deregistering the publicly traded corporation, a copy of the order must be provided to the publicly traded corporation together with a notice that the publicly traded corporation must apply, within 3 years after the date of the order of deregistration, to the Commission for a refund of any money of the publicly traded corporation held by the Board. If the Commission is unable to confirm that the publicly traded corporation has received the order, the Commission shall provide the order to the last known address of the registered agent of the publicly traded corporation. The publicly traded corporation

must apply to the Board for a refund of any investigative or other money of the publicly traded corporation held by the Board within 3 years after the date of deregistration. The money of the publicly traded corporation for which a refund is not requested within 3 years after the date of deregistration is presumed abandoned and is subject to the provisions of chapter 120A of NRS.

3. The Commission may adopt regulations that generally or selectively impose on any publicly traded corporation any requirement not inconsistent with law which it may deem necessary in the public interest. Without limiting the generality of the preceding sentence, any such requirement may deal with the same subject matter as, but be more stringent than, the requirements imposed by NRS 463.482 to 463.645, inclusive.

Sec. 18. NRS 465.075 is hereby amended to read as follows:

465.075 ~~[It]~~

1. Except as otherwise provided in subsection 2 and section 4 of this act, it is unlawful for any person 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.]~~ ***(a)*** Projects the outcome of the game;

~~[2.]~~ ***(b)*** Keeps track of cards played or cards prepared for play in the game;

~~[3.]~~ ***(c)*** Analyzes the probability of the occurrence of an event relating to the game; or

~~[4.]~~ ***(d)*** Analyzes the strategy for playing or betting to be used in the game***.*** ~~[,~~

~~except as]~~

2. A person may ~~[be]~~ ***possess with the intent to use or assist another person in using or possessing with the intent to use a device*** made available as part of an approved game or ***as*** otherwise ~~[permitted]~~ ***authorized*** by the Commission.