
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; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that it is unlawful for a person to use or possess with the
2 intent to use, or to assist another person in using or possessing with the intent to
3 use, certain devices to obtain an advantage at playing any game in a licensed
4 gaming establishment. (NRS 465.075) **Section 1** of this bill: (1) provides that the
5 prohibition applies to individuals and those acting in conjunction with others; and
6 (2) removes the definition of the term “advantage.”

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



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

1 **Section 1.** NRS 465.075 is hereby amended to read as follows:
2 465.075 ~~1.1~~ It is unlawful for any person, *either solely or in*
3 *conjunction with others*, to use, possess with the intent to use or
4 assist another person in using or possessing with the intent to use
5 any computerized, electronic, electrical or mechanical device which
6 is designed, constructed, altered or programmed to obtain an
7 advantage at playing any game in a licensed gaming establishment,
8 including, without limitation, a device that:

9 ~~(a)~~ 1. Projects the outcome of the game;
10 ~~(b)~~ 2. Keeps track of cards played or cards prepared for play
11 ~~;~~
12 ~~—(c) in the game;~~

13 3. Analyzes the probability of the occurrence of an event
14 relating to ~~the~~ *the* game; or

15 ~~(d)~~ 4. Analyzes the strategy for playing or betting to be used
16 in the game,

17 ↳ except as may be made available as part of an approved game or
18 otherwise permitted by the Commission.

19 ~~2. As used in this section, “advantage” means a benefit~~
20 ~~obtained by one or more participants in a game through information~~
21 ~~or knowledge that is not made available as part of the game as~~
22 ~~approved by the Board or Commission.~~

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

24 465.080 1. It is unlawful for any licensee, employee or other
25 person, not a duly authorized employee of a licensee acting in
26 furtherance of his or her employment within an establishment, to
27 ~~possess, use,~~ :

28 (a) *Possess*, sell or manufacture counterfeit chips, counterfeit
29 debit instruments or other counterfeit wagering instruments *that are*
30 *intended to be used* in a gambling game, associated equipment or a
31 cashless wagering system ~~1.1~~; or

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

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



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

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

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

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

21 5. It is unlawful for any person, not a duly authorized
22 employee of a licensee acting in furtherance of such employment
23 within an establishment, to have on his or her person or in his or her
24 possession on or off the premises of any licensed gaming
25 establishment any key or device known to have been designed for
26 the purpose of and suitable for opening, entering or affecting the
27 operation of any gambling game, cashless wagering system or drop
28 box, or any electronic or mechanical device connected thereto, or
29 for removing money or other contents therefrom.

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

43 (a) Lead or lead alloys;

44 (b) Molds, forms or similar equipment capable of producing a
45 likeness of a gaming token or United States coin;



- 1 (c) Melting pots or other receptacles;
- 2 (d) Torches;
- 3 (e) Tongs, trimming tools or other similar equipment; and
- 4 (f) Equipment which can be reasonably demonstrated to
- 5 manufacture facsimiles of debit instruments or wagering instruments
- 6 approved by the State Gaming Control Board.
- 7 7. Possession of more than one of the devices, equipment,
- 8 products or materials described in this section permits a rebuttable
- 9 inference that the possessor intended to use them for cheating.
- 10 **Sec. 3.** This act becomes effective upon passage and approval.

