

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:

1 Existing law provides that it is unlawful for a person to perform certain actions
2 relating to gaming without having first procured, and thereafter maintaining, all
3 required gaming licenses. (NRS 463.160) This bill additionally provides that it is
4 unlawful for a person to: (1) receive any compensation or reward, or any
5 percentage or share of the money or property played, for accepting or facilitating
6 the acceptance of a bet or wager on the result of any event held at a track involving
7 a horse or other animal, sporting event or other event, without having first
8 procured, and thereafter maintaining, all required gaming licenses; (2) accept or
9 facilitate a bet or wager on the result of any event held at a track involving a horse
10 or other animal, sporting event or other event that is placed with a person who
11 receives any compensation or reward, or any percentage or share of the money or
12 property played, for accepting or facilitating such a bet or wager without having
13 first procured, and thereafter maintaining, all required gaming licenses; or (3)
14 transmit or deliver anything of value resulting from a bet or wager on the result of
15 any event held at a track involving a horse or other animal, sporting event or other
16 event with a person who receives any compensation or reward, or any percentage or
17 share of the money or property played, for accepting or facilitating such a bet or
18 wager without having first procured, and thereafter maintaining, all required
19 gaming licenses. A person who violates any such provision is guilty of a category B
20 felony.



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

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

3 1. *Except as otherwise provided by law, it is unlawful for a*
4 *person to receive, directly or indirectly, any compensation or*
5 *reward, or any percentage or share of the money or property*
6 *played, for accepting or facilitating the acceptance of any bet or*
7 *wager upon the result of any event held at a track involving a*
8 *horse or other animal, sporting event or other event, as defined by*
9 *regulations adopted by the Nevada Gaming Commission, without*
10 *having first procured, and thereafter maintaining in effect, all*
11 *federal, state, county and municipal gaming licenses as required*
12 *by statute, regulation or ordinance or by the governing body of*
13 *any unincorporated town.*

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

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

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

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

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

26 465.088 1. A person who violates any provision of NRS
27 465.070 to 465.085, inclusive, *and section 1 of this act*, is guilty of
28 a category B felony and shall be punished:

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

33 (b) For a second or subsequent violation of any of these
34 provisions, by imprisonment in the state prison for a minimum term
35 of not less than 1 year and a maximum term of not more than 6
36 years, and may be further punished by a fine of not more than
37 \$10,000. The court shall not suspend a sentence of imprisonment
38 imposed pursuant to this paragraph, or grant probation to the person
39 convicted.

40 2. A person who attempts, or two or more persons who
41 conspire, to violate any provision of NRS 465.070 to 465.085,
42 inclusive, *and section 1 of this act*, each is guilty of a category B



1 felony and shall be punished by imposing the penalty provided in
2 subsection 1 for the completed crime, whether or not he or she
3 personally played any gambling game or used any prohibited
4 device.

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