

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 a bet or wager
6 on the result of any event held at a track involving a horse or other animal, sporting
7 event or other event, without having first procured, and thereafter maintaining, all
8 required gaming licenses; (2) accept or facilitate a bet or wager on the result of any
9 event held at a track involving a horse or other animal, sporting event or other event
10 that is placed with a person who receives any compensation or reward, or any
11 percentage or share of the money or property played, for accepting or facilitating
12 such a bet or wager without having first procured, and thereafter maintaining, all
13 required gaming licenses; or (3) transmit or deliver anything of value resulting from
14 a bet or wager on the result of any event held at a track involving a horse or other
15 animal, sporting event or other event with a person who receives any compensation
16 or reward, or any percentage or share of the money or property played, for
17 accepting or facilitating such a bet or wager without having first procured, and
18 thereafter maintaining, all required gaming licenses. A person who violates any
19 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:

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 any bet or wager upon the result of any event*
7 *held at a track involving a horse or other animal, sporting event or*
8 *other event, as defined by regulations adopted by the Nevada*
9 *Gaming Commission, without having first procured, and*
10 *thereafter maintaining in effect, all federal, state, county and*
11 *municipal gaming licenses as required by statute, regulation or*
12 *ordinance or by the governing body of any unincorporated town.*

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

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

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

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

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

25 465.088 1. A person who violates any provision of NRS
26 465.070 to 465.085, inclusive, *and section 1 of this act*, is guilty of
27 a category B felony and shall be punished:

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

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

39 2. A person who attempts, or two or more persons who
40 conspire, to violate any provision of NRS 465.070 to 465.085,
41 inclusive, *and section 1 of this act*, each is guilty of a category B
42 felony and shall be punished by imposing the penalty provided in



1 subsection 1 for the completed crime, whether or not he or she
2 personally played any gambling game or used any prohibited
3 device.

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