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Amendment to SB 3

NRS 464.020 Administration by Nevada gaming commission: Issuance of licenses; times and places for wagering; regulations; authority and procedure for appointing off-track pari-mutuel wagering committee; inspection of books and records of licensees.

1. The Nevada gaming commission is charged with the administration of this chapter for the protection of the public and in the public interest.

2. The Nevada gaming commission may issue licenses permitting the conduct of the pari-mutuel system of wagering, including off-track pari-mutuel wagering, and may adopt, amend and repeal regulations relating to the conduct of such wagering.

3. The wagering must be conducted only by the licensee at the times determined by the Nevada gaming commission and only:

(a) Within the enclosure wherein the race or other sporting event which is the subject of the wagering occurs; or

(b) Within a licensed gaming establishment which has been approved to conduct off-track pari-mutuel wagering.

This subsection does not prohibit a person licensed to accept, pursuant to regulations adopted by the Nevada gaming commission, off-track pari-mutuel wagers from accepting wagers made by wire communication from patrons within the State of Nevada, ~~or~~ from states or from places outside the United States in which such wagering is legal.

4. The regulations of the Nevada gaming commission may include, without limitation:

(a) Requiring fingerprinting of an applicant or licensee, or other method of identification.

(b) Requiring information concerning an applicant's antecedents, habits and character.

(c) Prescribing the method and form of application which any applicant for a license issued pursuant to this chapter must follow and complete before consideration of his application by the Nevada gaming commission.

(d) Prescribing the permitted communications technology and the implementation of border control technology that will provide security that a person can not place a wager from a state or place where it is illegal to do so with a Nevada race book.

5. The Nevada gaming commission may appoint an off-track pari-mutuel wagering committee consisting of nine persons who are licensed to engage in off-track pari-mutuel wagering. If the commission appoints such a committee, it shall appoint to the committee:

(a) Five members from a list of nominees provided by the state association of gaming establishments whose members collectively paid the most gross revenue fees to the state pursuant to NRS 463.370 in the preceding year;

(b) Two members who, in the preceding year, paid gross revenue fees pursuant to NRS 463.370 in an amount that was less than the average amount of gross revenue fees paid by licensees engaged in off-track pari-mutuel wagering in the preceding year; and

(c) Two other members.

If a vacancy occurs in a position on the committee for any reason, including, but not limited to, termination of a member, the commission shall appoint a successor member who satisfies the same criteria in paragraph (a), (b) or (c) that applied to the member whose position has been vacated.

6. If the Nevada gaming commission appoints an off-track pari-mutuel wagering committee pursuant to subsection 5, the commission shall:

(a) Grant to the off-track pari-mutuel wagering committee the exclusive right to negotiate an agreement relating to off-track pari-mutuel wagering with:

(1) A person who is licensed or otherwise permitted to operate a wagering pool in another state; and

(2) A person who is licensed pursuant to chapter 464 of NRS as an operator of a system.

(b) Require the off-track pari-mutuel wagering committee to grant to each person licensed pursuant to this chapter to operate an off-track pari-mutuel race pool the right to receive, on a fair and equitable basis, all services concerning wagering in such a race pool that the committee has negotiated to bring into or provide within this state.

7. The Nevada gaming commission shall, and it is granted the power to, demand access to and inspect all books and records of any person licensed pursuant to this chapter pertaining to and affecting the subject of the license.

[2:231:1949; 1943 NCL § 6226.02] + [Part 7:231:1949; A 1951, 538; 1953, 701]—(NRS A 1959, 455; 1965, 521; 1973, 463; 1981, 1947; 1983, 1892; 1991, 2148; 1995, 1501; 1997, 3317)

NRS 464.075 Altering value of wager for patron prohibited; regulations.

1. *Except as otherwise provided in subsection 3* a person who is licensed to engage in off-track pari-mutuel wagering shall not:

(a) Accept from a patron less than the full face value of an off-track pari-mutuel wager;

(b) Agree to refund or rebate to a patron any portion or percentage of the full face value of an off-track pari-mutuel wager; or

(c) Increase the payoff of, or pay a bonus on, a winning off-track pari-mutuel wager.

2. A person who is licensed to engage in off-track pari-mutuel wagering and who:

(a) Attempts to evade the provisions of subsection 1 by offering to a patron a wager that is not posted and offered to all patrons; or

(b) Otherwise violates the provisions of subsection 1,

is subject to the investigatory and disciplinary proceedings that are set forth in NRS 463.310 to 463.318, inclusive, and shall be punished as provided in those sections.

3. **The Nevada gaming commission may, by regulation, exempt certain bets, rebates, refunds, payoffs or bonuses if it deems such exemption to be in the best interests of this state and to licensed gaming provided, however, that no bets, rebates, refunds, payoffs or bonuses shall be exempted that would result in the amount of such bets, rebates, refunds, payoffs or bonuses directly or indirectly being deductible from gross revenue.**

4. The Nevada gaming commission shall adopt regulations to carry out the provisions of this section.

(Added to NRS by 1997, 3316)