

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 560

Introduced by Briese, 41.

Read first time January 19, 2021

Committee:

1 A BILL FOR AN ACT relating to gaming; to amend sections 1, 3, 5, and 6,
2 Initiative Law 2020, No. 430, and sections 2, 3, 5, and 7,
3 Initiative Law 2020, No. 431; to change the name of the Nebraska
4 Gaming Commission and the State Racing Commission; to define and
5 redefine terms; to change provisions of the Nebraska Racetrack
6 Gaming Act; to provide requirements for licensure; to provide powers
7 and duties for the commission; to establish requirements for sports
8 wagering; to prohibit certain activities; to provide penalties; to
9 harmonize provisions; to repeal the original sections; and to
10 declare an emergency.

11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 1, Initiative Law 2020, No. 430, is amended to
2 read:

3 Section 1. Sections 1 to 6 of this act and sections 5 to 14 of this
4 act shall be known and may be cited as the Nebraska Racetrack Gaming Act.

5 Sec. 2. Section 3, Initiative Law 2020, No. 430, is amended to read:

6 Sec. 3. For purposes of the Nebraska Racetrack Gaming Act:

7 (1) Authorized gaming operator means a person or entity licensed
8 pursuant to the act to operate games of chance within a licensed
9 racetrack enclosure;

10 (2) Authorized gaming operator license means a license to operate
11 games of chance as an authorized gaming operator at a licensed racetrack
12 enclosure;

13 (3) Collegiate sporting event means an athletic event or competition
14 of an intercollegiate sport played at the collegiate level for which
15 eligibility requirements for participation by a student athlete are
16 established by a national association for the promotion or regulation of
17 collegiate athletics;

18 (4) Commission means the Nebraska Racing and Gaming Commission;

19 (5) Designated sports wagering area means an area, as approved by
20 the commission, in which sports wagering is conducted;

21 (6) ~~(3)~~ Game of chance means any game which has the elements of
22 chance, prize, and consideration, including any wager on a slot machine,
23 table game, counter game, or card game or sports wagering. Game of chance
24 does not include any game the operation of which is prohibited at a
25 casino by federal law;

26 (7) ~~(4)~~ Gaming device means an electronic, mechanical, or other
27 device which plays a game of chance when activated by a player using
28 currency, a token, or other item of value;

29 (8) International sporting event means an international team or
30 individual sporting event governed by an international sports federation
31 or sports governing body, including sporting events governed by the

1 International Olympic Committee and the International Federation of
2 Association Football;

3 (9) (5) Licensed racetrack enclosure means premises at which
4 licensed live horseracing is conducted in accordance with the
5 Constitution of Nebraska and applicable Nebraska law;

6 (10) (6) Limited gaming device means an electronic gaming device
7 which (a) offers games of chance, (b) does not dispense currency, tokens,
8 or other items of value, and (c) does not have a cash winnings hopper,
9 mechanical or simulated spinning reel, or side handle; ~~and~~

10 (11) (7) Racing license means a license issued to a licensed
11 racetrack enclosure by the commission; ~~and State Racing Commission.~~

12 (12) Sports wagering means the acceptance of wagers on an authorized
13 sporting event by any system of wagering as authorized by the commission.
14 Sports wagering does not include (a) placing a wager on the performance
15 or nonperformance of any individual athlete participating in a single
16 game or match of a collegiate sporting event in which a collegiate team
17 from this state is a participant or (b) placing a wager on the
18 performance of athletes in an individual international sporting event in
19 which any participant in the international sporting event is under
20 eighteen years of age.

21 Sec. 3. Section 5, Initiative Law 2020, No. 430, is amended to read:

22 Sec. 5. (1) ~~For purposes of providing the necessary licensing and~~
23 ~~regulation of the operation of games of chance by authorized gaming~~
24 ~~operators within licensed racetrack enclosures pursuant to the Nebraska~~
25 ~~Racetrack Gaming Act, the Nebraska Racetrack Gaming Act shall be governed~~
26 ~~by the commission. The commission shall have full jurisdiction over and~~
27 ~~shall supervise all gaming operations pursuant to the Nebraska Racetrack~~
28 ~~Gaming Act Gaming Commission is created.~~

29 (2) ~~The commission shall consist of seven members. Not more than~~
30 ~~four of the seven members shall be affiliated with the same political~~
31 ~~party. No member shall have any personal financial interest in any~~

1 ~~licensed racetrack enclosure or authorized gaming operator for the~~
2 ~~duration of his or her term. The members of the commission shall elect~~
3 ~~one of the members to be chairperson.~~

4 ~~(3) The five members of the State Racing Commission shall be ex~~
5 ~~officio members of the Nebraska Gaming Commission, serving terms and~~
6 ~~receiving appointment in the same manner as provided in sections 2-1201~~
7 ~~and 2-1202.~~

8 ~~(4) The Governor shall appoint two additional members to serve with~~
9 ~~the members of the State Racing Commission as members of the Nebraska~~
10 ~~Gaming Commission. The members appointed pursuant to this subsection~~
11 ~~shall serve five year terms. One of such members shall have experience in~~
12 ~~the Nebraska gaming industry, and one shall be a member of the~~
13 ~~organization representing the majority of licensed owners and trainers of~~
14 ~~horses at racetracks in Nebraska.~~

15 ~~(5) The compensation of the members of the Nebraska Gaming~~
16 ~~Commission shall be one thousand dollars per month, which may be adjusted~~
17 ~~every two years in an amount not to exceed the change in the Consumer~~
18 ~~Price Index for Urban Wage Earners and Clerical Workers for the period~~
19 ~~between June 30 of the first year to June 30 of the year of adjustment.~~

20 Sec. 4. Section 6, Initiative Law 2020, No. 430, is amended to read:

21 Sec. 6. The commission ~~Nebraska Gaming Commission~~ shall:

22 (1) License and regulate authorized gaming operators for the
23 operation of all games of chance authorized pursuant to the Nebraska
24 Racetrack Gaming Act, including adopting, promulgating, and enforcing
25 rules and regulations governing such authorized gaming operators
26 consistent with the act;

27 (2) Regulate the operation of games of chance in order to prevent
28 and eliminate corrupt practices and fraudulent behavior, and thereby
29 promote integrity, security, and honest administration in, and accurate
30 accounting of, the operation of games of chance which are subject to the
31 act;

1 (3) Establish criteria to license applicants for authorized gaming
2 operator licenses and all other types of gaming licenses for other
3 positions and functions incident to the operation of games of chance,
4 including adopting, promulgating, and enforcing rules, regulations, and
5 eligibility standards for such authorized gaming operator licenses,
6 gaming licenses, and positions and functions incident to the operation of
7 games of chance;

8 (4) Charge fees for applications for licenses and for the issuance
9 of authorized gaming operator licenses and all other types of gaming
10 licenses to successful applicants which shall be payable to the
11 commission Nebraska Gaming Commission;

12 (5) Charge fees to authorized gaming operators in an amount
13 necessary to offset the cost of oversight and regulatory services to be
14 provided which shall be payable to the commission Nebraska Gaming
15 Commission;

16 (6) Impose a one-time authorized gaming operator license fee of one
17 million dollars on each authorized gaming operator for each licensed
18 racetrack enclosure payable to the commission Nebraska Gaming Commission;

19 (7) Grant, deny, revoke, and suspend authorized gaming operator
20 licenses and all other types of gaming licenses based upon reasonable
21 criteria and procedures established by the commission to facilitate the
22 integrity, productivity, and lawful conduct of gaming within the state;

23 (8) Grant or deny for cause applications for authorized gaming
24 operator licenses of not less than twenty years in duration with no more
25 than one such authorized gaming operator license granted for any licensed
26 racetrack enclosure within the state;

27 (9) Conduct background investigations of applicants for authorized
28 gaming operator licenses and all other types of gaming licenses;

29 (10) Adopt and promulgate rules and regulations for the standards of
30 manufacture of gaming equipment;

31 (11) Inspect the operation of any authorized gaming operator

1 conducting games of chance for the purpose of certifying the revenue
2 thereof and receiving complaints from the public;

3 (12) Issue subpoenas for the attendance of witnesses or the
4 production of any records, books, memoranda, documents, or other papers
5 or things at or prior to any hearing as is necessary to enable the
6 commission to effectively discharge its duties;

7 (13) Administer oaths or affirmations as necessary to carry out the
8 act;

9 (14) Have the authority to impose, subject to judicial review,
10 administrative fines not to exceed twenty-five thousand dollars for each
11 violation of the act or any rules and regulations adopted and promulgated
12 pursuant to the act;

13 (15) Collect and remit administrative fines collected under this
14 section to the State Treasurer for distribution in accordance with
15 Article VII, section 5, of the Constitution of Nebraska;

16 (16) Adopt and promulgate rules and regulations for any gaming taxes
17 assessed to authorized gaming operators;

18 (17) Collect and account for any gaming taxes assessed to authorized
19 gaming operators and remit such taxes to the State Treasurer or county
20 treasurer as required by Nebraska law;

21 (18) Promote treatment of gaming-related behavioral disorders;

22 (19) Establish procedures for the governance of the commission;

23 (20) Acquire necessary offices, facilities, counsel, and staff;

24 (21) Establish procedures for an applicant for a staff position to
25 disclose conflicts of interest as part of the application for employment;

26 and

27 (22) Establish a process to allow a person to be voluntarily
28 excluded from wagering in any game of chance under the act;

29 (23) Have the authority to issue directives without having to comply
30 with the Administrative Procedure Act relating to the adoption and
31 promulgation of rules and regulations; and

1 (24) ~~(22)~~ Do all things necessary and proper to carry out its powers
2 and duties under the Nebraska Racetrack Gaming Act ~~act~~, including the
3 adoption and promulgation of rules and regulations and such other actions
4 as permitted by the Administrative Procedure Act.

5 Sec. 5. Any person applying for a gaming operator license pursuant
6 to the Nebraska Racetrack Gaming Act shall be subject to fingerprinting
7 and a check of such person's criminal history record information
8 maintained by the Identification Division of the Federal Bureau of
9 Investigation for the purpose of determining whether the commission has a
10 basis to deny the license application or to suspend, cancel, or revoke
11 the person's license. The applicant shall pay the actual cost of any
12 fingerprinting or check of such person's criminal history record
13 information.

14 Sec. 6. Credit cards shall not be accepted by any authorized gaming
15 operator for payment for any wager or to purchase coins, tokens, or other
16 forms of credit to be wagered on any game of chance. An account for the
17 purpose of participating in a game of chance under the Nebraska Racetrack
18 Gaming Act may only be funded with cash, coins, a debit card, or a direct
19 link to an account with a financial institution in the name of the
20 player.

21 Sec. 7. (1) The commission may permit an authorized gaming operator
22 to conduct sports wagering. Any sports wager shall be placed in person in
23 the defined designated sports wagering area at the licensed racetrack
24 enclosure.

25 (2) A floor plan identifying the designated sports wagering area,
26 including the location of any wagering kiosks, shall be filed with the
27 commission for review and approval. Modification to a previously approved
28 plan must be submitted for approval at least ten days prior to
29 implementation. The area shall not be accessible to persons under twenty-
30 one years of age and shall have a sign posted to restrict access.
31 Exceptions to this subsection must be approved in writing by the

1 commission.

2 (3) The authorized gaming operator shall submit controls, approved
3 by the commission, that include the following for operating the
4 designated sports wagering area:

5 (a) Specific procedures and technology partners to fulfill the
6 requirements set forth by the commission;

7 (b) Location detection procedures to reasonably detect and
8 dynamically monitor the location of a player attempting to place any
9 wager. A player outside the permitted boundary shall be rejected, and the
10 player shall be notified. The confidence radius shall be entirely located
11 within the permitted boundary of the licensed racetrack enclosure;

12 (c) Other specific controls as designated by the commission;

13 (d) A process to easily and prominently impose limitations or
14 notification for wagering parameters, including, but not limited to,
15 deposits and wagers; and

16 (e) An easy and obvious method for a player to make a complaint and
17 to enable the player to notify the commission if such complaint has not
18 been or cannot be addressed by the sports wagering operator.

19 Sec. 8. (1) Any person who knowingly cheats at any game of chance
20 is guilty of a Class I misdemeanor.

21 (2) Any person who manipulates, with the intent to cheat, any
22 component of a gaming device in a manner contrary to the designed and
23 normal operational purpose of the component, including varying the pull
24 of the handle of a gaming machine with knowledge that the manipulation
25 affects the outcome of the game or with knowledge of any event that
26 affects the outcome of the game, is guilty of a Class I misdemeanor.

27 Sec. 9. (1) Any person who, in playing any game of chance designed
28 to be played with or to receive or to be operated by tokens approved by
29 the commission or by lawful currency of the United States, knowingly uses
30 tokens other than those approved by the commission, uses currency that is
31 not lawful currency of the United States, or uses currency not of the

1 same denomination as the currency intended to be used in that game is
2 guilty of a Class I misdemeanor.

3 (2) Any person who knowingly has in such person's possession within
4 a gaming facility any device intended to be used to violate the
5 provisions of the Nebraska Racetrack Gaming Act is guilty of a Class I
6 misdemeanor.

7 (3) Any person, other than a duly authorized employee of an
8 authorized gaming operator acting in furtherance of such person's
9 employment within a gaming establishment, who knowingly has in such
10 person's possession within a gaming facility any key or device known by
11 such person to have been designed for the purpose of and suitable for
12 opening, entering, or affecting the operation of any game, dropbox, or
13 any electronic or mechanical device connected to the game or dropbox, is
14 guilty of a Class I misdemeanor.

15 (4) Any person who knowingly and with intent to use any
16 paraphernalia for manufacturing slugs for cheating or has such
17 paraphernalia in such person's possession is guilty of a Class I
18 misdemeanor. For purposes of this subsection, paraphernalia for
19 manufacturing slugs (a) means the equipment, products, and materials that
20 are intended for use or designed for use in manufacturing, producing,
21 fabricating, preparing, testing, analyzing, packaging, storing, or
22 concealing a counterfeit facsimile of tokens approved by the commission
23 or a lawful coin of the United States, the use of which is unlawful
24 pursuant to the Nebraska Racetrack Gaming Act and (b) includes: (i) Lead
25 or lead alloy; (ii) molds, forms, or similar equipment capable of
26 producing a likeness of a gaming token or coin; (iii) melting pots or
27 other receptacles; (iv) torches; and (v) tongs, trimming tools, or other
28 similar equipment.

29 (5) Possession of more than two items of the equipment, products, or
30 material described in subsection (4) of this section permits a rebuttable
31 inference that the possessor intended to use such paraphernalia for

1 cheating.

2 Sec. 10. (1) A person who manufactures, sells, or distributes a
3 device that is intended by such person to be used to violate any
4 provision of the Nebraska Racetrack Gaming Act is guilty of a Class I
5 misdemeanor.

6 (2) A person who marks, alters, or otherwise modifies any gaming
7 device in a manner that affects the result of a wager by determining win
8 or loss or alters the normal criteria of random selection that affects
9 the operation of a game of chance or that determines the outcome of a
10 game of chance is guilty of a Class I misdemeanor.

11 (3) A person who knowingly possesses any gaming device that has been
12 manufactured, sold, or distributed in violation of the Nebraska Racetrack
13 Gaming Act is guilty of a Class I misdemeanor.

14 Sec. 11. A person who, in an application, book, or record required
15 to be maintained or in a report required to be submitted by the Nebraska
16 Racetrack Gaming Act or a rule, regulation, or directive adopted by the
17 commission, knowingly makes a statement or entry that is false or
18 misleading or fails to maintain or make an entry the person knows is
19 required to be maintained or made is guilty of a Class I misdemeanor.

20 Sec. 12. (1) A person who knowingly permits an individual whom the
21 person knows is younger than twenty-one years of age to participate in a
22 game of chance is guilty of a Class I misdemeanor.

23 (2) A person who participates in a game of chance when such person
24 is younger than twenty-one years of age at the time of participation is
25 guilty of a Class I misdemeanor.

26 Sec. 13. (1) An authorized gaming operator or the officers,
27 employees, or agents of an authorized gaming operator may question a
28 person who is in the gaming facility operated by the authorized gaming
29 operator and who is suspected of violating any of the provisions of the
30 Nebraska Racetrack Gaming Act. No authorized gaming operator or any
31 officer, employee, or agent of an authorized gaming operator is

1 criminally or civilly liable:

2 (a) On account of any questioning; or

3 (b) For reporting to the commission or law enforcement authorities
4 the person suspected of the violation.

5 (2) An authorized gaming operator or any officer, employee, or agent
6 of an authorized gaming operator who has reasonable cause for believing
7 that there has been a violation of the Nebraska Racetrack Gaming Act in
8 the gaming facility by a person may detain that person in the gaming
9 facility in a reasonable manner and for a reasonable length of time. Such
10 a detention does not render the authorized gaming operator or any
11 officer, employee, or agent of an authorized gaming operator criminally
12 or civilly liable unless it is established by clear and convincing
13 evidence that detention was unreasonable under the circumstances.

14 (3) No authorized gaming operator or officer, employee, or agent of
15 an authorized gaming operator is entitled to the immunity from liability
16 provided for in subsection (2) of this section unless the following
17 notice is displayed in the gaming facility: Any authorized gaming
18 operator or any officer, employee, or agent of an authorized gaming
19 operator who has reasonable cause for believing that any person has
20 violated any provision of the Nebraska Racetrack Gaming Act that
21 prohibits cheating may detain that person in the facility.

22 Sec. 14. A person who willfully violates, attempts to violate, or
23 conspires to violate any of the provisions of the Nebraska Racetrack
24 Gaming Act for which no other penalty is provided is guilty of a Class I
25 misdemeanor.

26 Sec. 15. Section 2, Initiative Law 2020, No. 431, is amended to
27 read:

28 Sec. 2. For purposes of this act:

29 (1) Authorized gaming operator means a person or entity licensed
30 pursuant to the Nebraska Racetrack Gaming Act to operate games of chance
31 within a licensed racetrack enclosure;

1 (2) Designated sports wagering area means an area, as designated by
2 the gaming commission, in which sports wagering is conducted;

3 (3) (2) Dollar amount collected means the total dollar amount
4 wagered by players of games of chance less the total dollar amount
5 returned to such players as prizes;

6 (4) (3) Game of chance means any game which has the elements of
7 chance, prize, and consideration, including any wager on a slot machine,
8 table game, counter game, or card game. Game of chance includes sports
9 wagering. Game of chance does not include any game the operation of which
10 is prohibited at a casino by federal law;

11 (5) (4) Gaming commission means the Nebraska Racing and Gaming
12 Commission established pursuant to the Nebraska Racetrack Gaming Act;

13 (6) (5) Gross gaming revenue means the dollar amount collected by an
14 authorized gaming operator from operation of all games of chance within a
15 licensed racetrack enclosure as computed pursuant to applicable statutes,
16 rules, and regulations less the total of (a) all federal taxes, other
17 than income taxes, imposed on the operation of such games of chance and
18 (b) the amount provided to players by an authorized gaming operator as
19 promotional gaming credits, but only to the extent such promotional
20 gaming credits are redeemed by players to play one or more games of
21 chance being operated by the authorized gaming operator;

22 (7) (6) Licensed racetrack enclosure means a premises at which
23 licensed live horseracing is conducted in accordance with the
24 Constitution of Nebraska and applicable Nebraska law; ~~and~~

25 (8) (7) Promotional gaming credit means a credit, token, or other
26 item of value provided by an authorized gaming operator to a player for
27 the purpose of enabling the player to play a game of chance; and -

28 (9) Sports wagering has the same meaning as in section 3, Initiative
29 Law 2020, No. 430.

30 Sec. 16. (1) If any person liable to pay any tax or fee under the
31 Nebraska Racetrack Gaming Act neglects or refuses to pay such tax or fee

1 after demand, the amount of such tax or fee, including any interest,
2 penalty, and additions to such tax, and such additional costs that may
3 accrue, shall be a lien in favor of the gaming commission upon all
4 property and rights to property, whether real or personal, then owned by
5 such person or acquired by such person thereafter and prior to the
6 expiration of the lien. Unless another date is specifically provided by
7 law, such lien shall arise at the time of the assessment and shall remain
8 in effect: (a) For three years from the time of the assessment or one
9 year after the expiration of an agreement between the gaming commission
10 and a taxpayer for payment of tax which is due, whichever is later, if
11 the notice of lien is not filed for record in the office of the
12 appropriate filing officer; (b) for ten years from the time of filing for
13 record in the office of the appropriate filing officer; or (c) until such
14 amounts have been paid or a judgment against such person arising out of
15 such liability has been satisfied or has become unenforceable by reason
16 of lapse of time, unless a continuation statement is filed prior to the
17 lapse.

18 (2)(a) The gaming commission may present for filing or file for
19 record in the office of the appropriate filing officer a notice of lien
20 specifying the year the tax was due, the tax program, and the amount of
21 the tax and any interest, penalty, or addition to such tax that are due.
22 Such notice shall be filed for record in the office of the appropriate
23 filing officer within three years after the time of assessment or within
24 one year after the expiration of an agreement between the gaming
25 commission and a taxpayer for payment of tax which is due, whichever is
26 later. Such notice shall contain the name and last-known address of the
27 taxpayer, the last four digits of the taxpayer's social security number
28 or federal identification number, the gaming commission's serial number,
29 and a statement to the effect that the gaming commission has complied
30 with all provisions of the law for the particular tax program in the
31 determination of the amount of the tax and any interest, penalty, and

1 addition to such tax required to be paid.

2 (b) If the assets of the taxpayer are in the control or custody of
3 the court in any proceeding before any court of the United States or of
4 any state or the District of Columbia, before the end of the time period
5 in subdivision (2)(a) of this section, the notice shall be filed for
6 record within the time period or within six months after the assets are
7 released by the court, whichever is later.

8 (3)(a) A lien imposed upon real property pursuant to the Uniform
9 State Tax Lien Registration and Enforcement Act shall be valid against
10 any subsequent creditor when notice of such lien and the amount due has
11 been presented for filing by the gaming commission in the office of the
12 Secretary of State and filed in the office of the register of deeds. A
13 lien imposed upon personal property pursuant to the Uniform State Tax
14 Lien Registration and Enforcement Act shall be valid against any
15 subsequent creditor when notice of such lien and the amount due has been
16 filed by the gaming commission in the office of the Secretary of State.

17 (b) In the case of any prior mortgage on real property or secured
18 transaction covering personal property so written as to secure a present
19 debt and future advances, the lien provided in this section, when notice
20 thereof has been filed in the office of the appropriate filing officer,
21 shall be subject to such prior lien unless the gaming commission has
22 notified the lienholder in writing of the recording of such tax lien, in
23 which case the lien of any indebtedness thereafter created under such
24 mortgage or secured transaction shall be junior to the lien provided for
25 in this section.

26 (4) The lien may, within ten years from the date of filing for
27 record of the notice of lien in the office of the appropriate filing
28 officer, be extended by filing for record a continuation statement. Upon
29 timely filing of the continuation statement, the effectiveness of the
30 original notice shall be continued for ten years after the last date to
31 which the filing was effective. After such period the notice shall lapse

1 in the manner prescribed in subsection (1) of this section unless another
2 continuation statement is filed prior to such lapse.

3 (5) When a termination statement of any tax lien issued by the
4 gaming commission is filed in the office where the notice of lien is
5 filed, the appropriate filing officer shall enter such statement with the
6 date of filing in the state tax lien index where notice of the lien so
7 terminated is entered and shall file the termination statement with the
8 notice of the lien.

9 (6) The gaming commission may at any time, upon request of any party
10 involved, release from a lien all or any portion of the property subject
11 to any lien provided for in the Uniform State Tax Lien Registration and
12 Enforcement Act or subordinate a lien to other liens and encumbrances if
13 the gaming commission determines that (a) the tax amount and any
14 interest, penalties, and additions to such tax have been paid or secured
15 sufficiently by a lien on other property, (b) the lien has become legally
16 unenforceable, (c) a surety bond or other satisfactory security has been
17 posted, deposited, or pledged with the gaming commission in an amount
18 sufficient to secure the payment of such taxes and any interest,
19 penalties, and additions to such taxes, or (d) the release, partial
20 release, or subordination of the lien will not jeopardize the collection
21 of such taxes and any interest, penalties, and additions to such tax.

22 (7) A certificate by the gaming commission stating that any property
23 has been released from the lien or the lien has been subordinated to
24 other liens and encumbrances shall be conclusive evidence that the
25 property has in fact been released or the lien has been subordinated
26 pursuant to the certificate.

27 Sec. 17. Section 7, Initiative Law 2020, No. 431, is amended to
28 read:

29 Sec. 7. Any authorized gaming operator that willfully fails,
30 neglects, or refuses to make any report required by this act, or by rules
31 and regulations adopted and promulgated under this act, or that knowingly

1 makes any false statement in any such report, is guilty of a Class I ~~IV~~
2 misdemeanor.

3 Sec. 18. Original sections 1, 3, 5, and 6, Initiative Law 2020, No.
4 430, and sections 2, 3, 5, and 7, Initiative Law 2020, No. 431, are
5 repealed.

6 Sec. 19. Since an emergency exists, this act takes effect when
7 passed and approved according to law.