
ASSEMBLY BILL NO. 117—COMMITTEE ON JUDICIARY

PREFILED JANUARY 31, 2019

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to charitable gaming.
(BDR 41-715)

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 charitable gaming; requiring the Nevada Gaming Commission to adopt regulations providing a procedure to appeal the denial of the registration to operate a charitable lottery or charitable game; requiring the Commission to adopt regulations establishing the fees that a qualified organization must submit to the Chair of the Nevada Gaming Control Board when registering to operate a charitable lottery or charitable game; increasing the penalty for the commission of certain unauthorized acts relating to lotteries; repealing provisions relating to charitable games; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes provisions governing lotteries, including charitable
2 lotteries. (Chapter 462 of NRS) Existing law also establishes provisions governing
3 charitable games, including: (1) games operated by charitable or educational
4 organizations; and (2) charitable bingo games operated by qualified organizations.
5 (NRS 463.409-463.40965) This bill incorporates charitable games into the
6 provisions of law governing charitable lotteries for the purpose of treating all
7 charitable gaming in the same manner. **Section 29** of this bill repeals the current
8 provisions of law relating to charitable games.
9 **Section 3** of this bill defines the term “charitable game” as a bingo, poker or
10 blackjack game that is operated by a qualified organization. **Section 12** of this bill
11 revises the definition of “qualified organization” to: (1) specify that such an
12 organization must be recognized by the Department of Taxation or the Internal
13 Revenue Service as not operated for profit; and (2) exclude political organizations.



14 **Section 14** of this bill sets forth the requirements that must be satisfied for a
15 qualified organization to operate a charitable lottery, and **section 5** of this bill sets
16 forth the requirements that must be satisfied for a qualified organization to operate
17 a charitable game without obtaining a gaming license.

18 **Section 15** of this bill requires the Chair of the Nevada Gaming Control Board
19 to register a qualified organization to operate a charitable lottery or charitable game
20 if certain requirements are satisfied. **Section 16** of this bill sets forth the items that a
21 qualified organization must submit to register with the Chair to operate a charitable
22 lottery or charitable game. **Section 16** also requires the Board to adopt regulations
23 establishing the fees that a qualified organization must submit to the Chair for the
24 purpose of such registration. **Section 13** of this bill requires the Nevada Gaming
25 Commission, upon the recommendation of the Board, to adopt regulations
26 providing a procedure to appeal the denial of the registration to operate a charitable
27 lottery or charitable game by the Chair.

28 **Section 18** of this bill prohibits the Chair from registering a qualified
29 organization to operate a charitable lottery or charitable game outside this State.
30 **Section 18** authorizes statewide ticket sales and online sales upon approval by the
31 Chair, but requires that all lottery ticket sales be limited to persons who are
32 physically located within this State at the time of purchase.

33 **Section 17** of this bill provides that if the Commission finds that a person
34 associated with a qualified organization is unsuitable to be associated with the
35 operation of a charitable lottery or charitable game, any contract or agreement
36 between the associated person and the qualified organization for the provision of
37 personal services to the qualified organization or for conducting any activity
38 relating to the operation of a charitable lottery or charitable game is deemed to be
39 terminated without liability on the part of the qualified organization.

40 **Section 19** of this bill removes the provision that prohibits a qualified
41 organization from providing compensation to a person who is not a regular
42 employee of the organization. **Section 20** of this bill prohibits a qualified
43 organization from contracting with certain vendors for the operation of a charitable
44 lottery or charitable game. **Section 20** also requires a qualified organization
45 registered with the Chair to submit to the Chair a financial report on a charitable
46 lottery or charitable game upon request.

47 **Section 4** of this bill provides that the State of Nevada, the Board, the
48 Commission and certain other persons are immune from any civil liability for any
49 decision or action taken in good faith and without malicious intent in carrying out
50 the provisions of law relating to charitable gaming.

51 Existing law: (1) establishes various unauthorized acts relating to lotteries; and
52 (2) provides that a person who commits any such act is guilty of a misdemeanor.
53 (NRS 462.250, 462.260, 462.280-462.300, 462.320) **Sections 21-26** of this bill
54 increase the penalty for the commission of any such act to a gross misdemeanor.

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

1 **Section 1.** Chapter 462 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *“Chair” means the Chair of the Board.*

5 **Sec. 3.** *“Charitable game” means a bingo, poker or*
6 *blackjack game that is operated by a qualified organization*
7 *pursuant to the provisions of this chapter. The term does not*



1 *include any other game or gambling game specified in NRS*
2 *463.0152, including without limitation, any game which requires*
3 *the use of a gaming device, or any wagers on horse races, other*
4 *animal races, sporting events or other events.*

5 **Sec. 4.** *In addition to any other rights, privileges and*
6 *immunities recognized by law, the State of Nevada, the Board and*
7 *any of its members, employees, attorneys and other personnel,*
8 *and the Commission and any of its members, employees, attorneys*
9 *and other personnel are immune from any civil liability for any*
10 *decision or action taken in good faith and without malicious intent*
11 *in carrying out the provisions of this chapter.*

12 **Sec. 5.** *A qualified organization may operate a charitable*
13 *game without obtaining a license pursuant to NRS 463.160 if:*

14 1. *The qualified organization is registered by the Chair to*
15 *operate a charitable game pursuant to NRS 462.150; and*

16 2. *The total value of all the prizes offered in charitable games*
17 *operated by the qualified organization during the same calendar*
18 *year does not exceed \$500,000.*

19 **Sec. 6.** NRS 462.015 is hereby amended to read as follows:

20 462.015 The Legislature hereby finds, and declares to be the
21 public policy of this state, that:

22 1. The operation of legitimate charitable lotteries *and*
23 *charitable games in this State* by ~~{bona fide charitable and~~
24 ~~nonprofit}~~ *qualified* organizations is beneficial to the general
25 welfare of the residents of this state.

26 2. The benefits of charitable lotteries ~~{}~~ *and charitable games:*

27 (a) Are dependent upon ensuring that those *charitable* lotteries
28 *and charitable games* are operated honestly and free from criminal
29 and corruptive elements, and that the proceeds of those *charitable*
30 lotteries *and charitable games* are expended to benefit the activities
31 of charitable or nonprofit organizations ~~{}~~ *in this State.*

32 (b) Can be ensured through the regulation of the type of
33 organizations authorized to operate those *charitable* lotteries ~~{}~~ *and*
34 *charitable games*, the manner in which those *charitable* lotteries
35 *and charitable games* are conducted and the manner in which the
36 proceeds of those *charitable* lotteries *and charitable games* are
37 expended.

38 **Sec. 7.** NRS 462.025 is hereby amended to read as follows:

39 462.025 Nothing in this chapter affects the power of a local
40 government to require the licensing of or to impose additional
41 restrictions on the operation of a charitable lottery ~~{}~~ *or charitable*
42 *game.*

43 **Sec. 8.** NRS 462.035 is hereby amended to read as follows:

44 462.035 As used in this chapter, unless the context otherwise
45 requires, the words and terms defined in NRS 462.045 to 462.125,



1 inclusive, *and sections 2 and 3 of this act* have the meanings
2 ascribed to them in those sections.

3 **Sec. 9.** NRS 462.064 is hereby amended to read as follows:

4 462.064 “Charitable lottery” means a lottery operated by a
5 ~~{bona fide charitable or nonprofit}~~ *qualified* organization pursuant
6 to the provisions of this chapter.

7 **Sec. 10.** NRS 462.075 is hereby amended to read as follows:

8 462.075 “Charitable or nonprofit activity” means an activity in
9 support of the arts, amateur athletics, peace officers or health or
10 social services, or conducted for any benevolent, civic, educational,
11 eleemosynary, fraternal, humanitarian, patriotic ~~{, political}~~ or
12 religious purpose, including the operation of a qualified
13 organization.

14 **Sec. 11.** NRS 462.115 is hereby amended to read as follows:

15 462.115 “Net proceeds” means the total amount of money
16 collected from the ~~{sale}~~ *operation* of ~~{tickets or chances for}~~ a
17 charitable lottery ~~{,}~~ *or charitable game*, less the total amount of
18 money expended for prizes, supplies, advertising, promotion,
19 printing, administration and other direct expenses necessary to
20 operate a charitable lottery ~~{,}~~ *or charitable game, as applicable*.

21 **Sec. 12.** NRS 462.125 is hereby amended to read as follows:

22 462.125 “Qualified organization” means ~~{a bona fide}~~ *an*
23 alumni, charitable, civic, educational, fraternal, patriotic, ~~{political,}~~
24 religious ~~{,}~~ *or veterans’ organization or a* state or local bar ~~{or~~
25 ~~veterans’ organization}~~ *association* that is *recognized by the*
26 *Department of Taxation or the Internal Revenue Service* as not
27 operated for profit.

28 **Sec. 13.** NRS 462.130 is hereby amended to read as follows:

29 462.130 1. The Board and Commission shall administer the
30 provisions of this chapter for the protection of the public and in the
31 public interest in accordance with the policy of this state.

32 2. The Commission, upon the recommendation of the Board:

33 (a) May adopt such regulations as it deems desirable to enforce
34 the provisions of this chapter; and

35 (b) Shall adopt regulations providing a procedure to appeal the
36 denial of the ~~{approval of}~~ *registration to operate a charitable*
37 *lottery or charitable game* by the ~~{Executive Director}~~ *Chair*
38 pursuant to NRS 462.150,

39 ↪ pursuant to the procedure set forth in NRS 463.145.

40 **Sec. 14.** NRS 462.140 is hereby amended to read as follows:

41 462.140 A qualified organization may operate a charitable
42 lottery if:

43 1. The *qualified* organization is ~~{approved}~~ *registered* by the
44 ~~{Executive Director}~~ *Chair to operate a charitable lottery pursuant*
45 *to NRS 462.150;* and ~~{the}~~



1 **2. The** total value of all the prizes offered in charitable lotteries
2 operated by the **qualified** organization during the same calendar
3 year ~~[exceeds \$25,000, but]~~ , **including, without limitation, the**
4 **value of all unclaimed cash prizes,** does not exceed \$500,000 . ~~;~~

5 ~~—2. Except as otherwise provided in subsection 4, the~~
6 ~~organization registers with the Executive Director and the total~~
7 ~~value of all the prizes offered in charitable lotteries operated by the~~
8 ~~organization during the same calendar year exceeds \$2,500, but does~~
9 ~~not exceed \$25,000;~~

10 ~~—3. The total value of the prizes offered in the charitable lottery~~
11 ~~does not exceed \$2,500 and the organization operates no more than~~
12 ~~two charitable lotteries per calendar year; or~~

13 ~~—4. The tickets or chances for the charitable lottery are sold only~~
14 ~~to members of the organization, and to guests of those members~~
15 ~~while attending a special event sponsored by the organization, and~~
16 ~~the total value of all the prizes offered in charitable lotteries~~
17 ~~operated by the organization during the same calendar year does not~~
18 ~~exceed \$15,000.]~~

19 **Sec. 15.** NRS 462.150 is hereby amended to read as follows:

20 462.150 1. The ~~[Executive Director]~~ **Chair** shall:

21 (a) Register a qualified organization ~~[that complies with the~~
22 ~~requirements of NRS 462.160.~~

23 ~~—(b) Approve a qualified organization]~~ **to operate a charitable**
24 **lottery or charitable game** if:

25 (1) The organization complies with the requirements of NRS
26 462.160; ~~[and]~~

27 (2) The ~~[Executive Director]~~ **prizes offered are legal under**
28 **state and federal law; and**

29 (3) **The Chair** determines , **in his or her sole and absolute**
30 **discretion,** that the ~~[approval]~~ **registration** of the organization **to**
31 **operate a charitable lottery or charitable game and the prizes**
32 **offered** would not be contrary to the public interest.

33 ~~[(e)]~~ (b) Provide a qualified organization, within 30 days after
34 its submission of an application pursuant to NRS 462.160, with
35 written notification of the basis for any refusal by the ~~[Executive~~
36 ~~Director]~~ **Chair** to register ~~[or approve]~~ the qualified organization
37 pursuant to this section.

38 2. The registration ~~[or approval]~~ of a qualified organization **to**
39 **operate a charitable lottery or charitable game** is a revocable
40 privilege. No person has any right to be registered ~~[or approved]~~ **to**
41 **operate a charitable lottery or charitable game** by the ~~[Executive~~
42 ~~Director]~~ **Chair** or acquires any vested right upon being registered
43 ~~[or approved]~~ by the ~~[Executive Director].~~



1 ~~—3. Unless earlier revoked, the registration or approval of a~~
2 ~~qualified organization is valid for the calendar year and expires on~~
3 ~~December 31.] Chair.~~

4 **Sec. 16.** NRS 462.160 is hereby amended to read as follows:

5 462.160 1. To register with ~~[or request the approval of]~~ the
6 ~~[Executive Director,]~~ *Chair to operate a charitable lottery or*
7 *charitable game*, a qualified organization must submit to the
8 ~~[Executive Director:]~~ *Chair:*

9 (a) A written application containing:

10 (1) The name, address and nature of the organization.

11 (2) Proof that the organization is a qualified organization.

12 (3) The names of the officers or principals of the
13 organization, and of any person responsible for the management,
14 administration or supervision of the organization's charitable
15 lotteries *or charitable games* and any activities related to those
16 *charitable* lotteries ~~[]~~ *or charitable games.*

17 (4) *A listing of vendors who will assist with each charitable*
18 *lottery or charitable game operated by the organization and the*
19 *services that will be provided.*

20 (5) A description of all the prizes to be offered in *each*
21 *charitable* ~~[lotteries]~~ *lottery or charitable game* operated by the
22 organization . ~~[during the calendar year to which the application~~
23 ~~pertains and, if the approval of the Executive Director is required, a]~~

24 (6) *A summary of the anticipated expenses of conducting*
25 ~~[those lotteries,]~~ *each charitable lottery or charitable game,*
26 including copies of any proposed agreements between the
27 organization and any suppliers of material for the operation of
28 ~~[those lotteries.~~

29 ~~—(5)]~~ *each charitable lottery or charitable game.*

30 (7) A description of the intended use of the net proceeds of
31 *each* charitable ~~[lotteries]~~ *lottery or charitable game* operated by
32 the organization . ~~[during the calendar year to which the application~~
33 ~~pertains.~~

34 ~~—(6)]~~ (8) The ~~[designation]~~ *address* of ~~[a primary county in~~
35 ~~which]~~ *the location where each* charitable ~~[lotteries]~~ *lottery or*
36 *charitable game* will be conducted by the organization . ~~[during the~~
37 ~~calendar year to which the application pertains.~~

38 ~~—(7)]~~ (9) *The operational controls for each charitable lottery*
39 *or charitable game, including, without limitation:*

40 (I) *The methods proposed for ticket sales and, if*
41 *proposing mobile, online or telephone sales, the procedures for*
42 *such sales;*

43 (II) *The audit controls for all ticket sales in this State to*
44 *ensure compliance with NRS 462.180;*



1 (III) *The rules which will be presented to the public for*
2 *each charitable lottery or charitable game;*

3 (IV) *The method of awarding all prizes and announcing*
4 *all winners to the public; and*

5 (V) *The rules and time frames for the collection of all*
6 *prizes.*

7 (10) *A statement verifying that all charitable lotteries or*
8 *charitable games will be conducted in accordance with the*
9 *standards of honesty and integrity applicable to licensed gambling*
10 *games in this State and that any prizes that would be deemed*
11 *illegal under state or federal law will not be offered.*

12 (11) Any other information the ~~{Executive Director}~~ *Chair*
13 *deems appropriate.*

14 (b) ~~{A nonrefundable fee of:~~

15 ~~— (1) For registration, \$5; or~~

16 ~~— (2) For a request for approval, \$25.}~~ *All applicable fees*
17 *established by the Board by regulation pursuant to subsection 3.*

18 2. A qualified organization shall submit such additional
19 information as necessary to correct or complete any information
20 submitted pursuant to this section that becomes inaccurate or
21 incomplete. The ~~{approval}~~ *registration* of a qualified organization
22 is suspended during the period that any of the information is
23 inaccurate or incomplete. The ~~{Executive Director}~~ *Chair* may
24 reinstate the ~~{approval}~~ *registration* of the organization only after all
25 information has been corrected and completed.

26 3. *The Board shall adopt regulations establishing the fees*
27 *that a qualified organization must submit to the Chair pursuant to*
28 *this section.*

29 4. The money collected pursuant to this section must be
30 expended to administer and enforce the provisions of this chapter.

31 **Sec. 17.** NRS 462.170 is hereby amended to read as follows:

32 462.170 1. The Commission may, upon recommendation of
33 the Board, require:

34 (a) A qualified organization that registers with ~~{for requests the~~
35 ~~approval of}~~ the ~~{Executive Director}~~ *Chair* to file an application
36 pursuant to chapter 463 of NRS for a finding of suitability to operate
37 a charitable lottery *or charitable game* in this state.

38 (b) Any person who is employed by, a member of or otherwise
39 associated with such an organization to file an application pursuant
40 to chapter 463 of NRS for a finding of suitability to be associated
41 with the operation of a charitable lottery *or charitable game* in this
42 state.

43 2. The Board may conduct an investigation of the qualified
44 organization or associated person and submit recommendations to
45 the Commission. The qualified organization or associated person



1 must deposit with the Board a sum of money which the Board
2 determines will be adequate to pay the anticipated costs of the
3 investigation and shall upon the completion of the investigation pay
4 to the Board any additional money necessary to reimburse the Board
5 for the actual cost of the investigation. The Board shall refund any
6 overpayments.

7 3. The Commission may revoke the registration ~~for approval~~
8 of a qualified organization *to operate a charitable lottery or*
9 *charitable game* if:

10 (a) An application for a finding of suitability is not submitted to
11 the Board, together with the deposit required by subsection 2, within
12 30 days after the qualified organization receives written notice that
13 it is required pursuant to paragraph (a) of subsection 1 to file an
14 application for a finding of suitability.

15 (b) The qualified organization is found unsuitable to operate a
16 charitable lottery *or charitable game* in this state.

17 (c) An application for a finding of suitability is not submitted to
18 the Board, together with the deposit required by subsection 2, or the
19 association of the person with the organization is not terminated,
20 within 30 days after the qualified organization receives written
21 notice that an associated person is required pursuant to paragraph
22 (b) of subsection 1 to file an application for a finding of suitability.

23 (d) The associated person is found unsuitable to be associated
24 with the operation of a charitable lottery *or charitable game* in this
25 state and the qualified organization does not terminate its
26 association with that person within 30 days after receiving written
27 notice of the finding of unsuitability.

28 *4. If the Commission finds that an associated person is*
29 *unsuitable to be associated with the operation of a charitable*
30 *lottery or charitable game in this State, any contract or agreement*
31 *between the associated person and a qualified organization for the*
32 *provision of personal services to the qualified organization or for*
33 *conducting any activity relating to the operation of the charitable*
34 *lottery or charitable game shall be deemed to be terminated*
35 *without liability on the part of the qualified organization. Failure*
36 *to expressly include such a condition in a contract or agreement is*
37 *not a defense in any action brought pursuant to this section to*
38 *terminate the contract or agreement.*

39 **Sec. 18.** NRS 462.180 is hereby amended to read as follows:

40 462.180 ~~[A qualified organization]~~ *The Chair* shall not ~~[-~~

41 ~~—1.— Except as approved by the Executive Director, sell any ticket~~
42 ~~or chance for]~~ *register a qualified organization to operate* a
43 charitable lottery *or charitable game* outside ~~[of:~~

44 ~~—(a) The primary county in which the charitable lottery is being~~
45 ~~conducted; and~~



1 ~~—(b) Any counties that border on the primary county.~~

2 ~~—2. If the organization has been approved by the Executive~~
3 ~~Director, conduct more than one charitable lottery in any calendar~~
4 ~~quarter without the specific authorization of the Executive Director.]~~
5 *this State. Statewide ticket sales and online sales are permitted*
6 *upon approval by the Chair, but all lottery ticket sales must be*
7 *limited to persons who are physically located within this State at*
8 *the time of purchase.*

9 **Sec. 19.** NRS 462.190 is hereby amended to read as follows:

10 462.190 A qualified organization shall not:

11 1. Compensate any person for the provision of prizes and
12 supplies used in the operation of a charitable lottery ~~{}~~ *or charitable*
13 *game*, except to pay the fair market value of the prizes and supplies
14 necessary for the operation of the charitable lottery ~~{}~~ *or charitable*
15 *game.*

16 2. Provide ~~{}~~:

17 ~~—(a) Any compensation to a person who is not a regular employee~~
18 ~~of the organization; and~~

19 ~~—(b) Any} any~~ additional compensation to a person who is a
20 regular employee of the organization ~~{}~~;

21 ~~{}~~ for his or her services in organizing or operating a charitable
22 lottery *or charitable game* or assisting in the organization or
23 operation of a charitable lottery ~~{}~~ *or charitable game*. This
24 subsection does not prohibit a qualified organization from
25 compensating a person for the fair market value of services that are
26 ancillary to the organization. ~~{or operation of a charitable lottery.}~~

27 **Sec. 20.** NRS 462.200 is hereby amended to read as follows:

28 462.200 1. A qualified organization ~~{shall}~~ :

29 (a) *Shall not contract with any vendor for the operation of a*
30 *charitable lottery or charitable game who charges more than 8*
31 *percent of the gross proceeds of the charitable lottery or charitable*
32 *game in exchange for the provision of services.*

33 (b) *Shall* expend the net proceeds of a charitable lottery *or*
34 *charitable game* only for the benefit of charitable or nonprofit
35 activities in this state.

36 2. A qualified organization ~~{approved}~~ *registered* by the
37 ~~{Executive Director}~~ *Chair* shall, ~~{after the completion of a~~
38 ~~charitable lottery and no later than the end of the same calendar~~
39 ~~year,}~~ *upon request*, submit to the ~~{Executive Director}~~ *Chair* a
40 financial report on ~~{the}~~ *a* charitable lottery ~~{}~~ *or charitable game*.
41 The financial report must include a statement of:

42 (a) The expenses incurred in the operation of the charitable
43 lottery ~~{}~~ *or charitable game*; and

44 (b) The amount and use of the net proceeds of the charitable
45 lottery ~~{}~~ *or charitable game*.



1 **Sec. 21.** NRS 462.250 is hereby amended to read as follows:
2 462.250 A person who contrives, prepares, sets up, proposes or
3 ~~draws~~ *operates* any lottery, except as authorized pursuant to this
4 chapter, is guilty of a *gross* misdemeanor.

5 **Sec. 22.** NRS 462.260 is hereby amended to read as follows:
6 462.260 A person who sells, gives or in any manner whatever
7 furnishes or transfers to or for any other person any ticket, chance,
8 share or interest, or any paper, certificate or instrument purporting
9 or understood to be or to represent any ticket, chance, share or
10 interest in or depending upon the event of any lottery, except as
11 authorized pursuant to this chapter, is guilty of a *gross*
12 misdemeanor.

13 **Sec. 23.** NRS 462.280 is hereby amended to read as follows:
14 462.280 A person who intentionally aids or assists, either by
15 printing, writing, advertising, publishing or otherwise, in setting up,
16 managing or ~~drawing~~ *operating* any lottery in violation of this
17 chapter, or in selling or disposing of any ticket, chance or share
18 therein, is guilty of a *gross* misdemeanor.

19 **Sec. 24.** NRS 462.290 is hereby amended to read as follows:
20 462.290 Every person who opens, sets up or keeps by himself
21 or herself or by any other person any office or other place for the
22 sale of or for registering the number of any ticket in any lottery in
23 violation of this chapter, or who by printing, writing or other means
24 intentionally advertises or publishes the setting up, opening or using
25 of any such office, is guilty of a *gross* misdemeanor.

26 **Sec. 25.** NRS 462.300 is hereby amended to read as follows:
27 462.300 Every person who insures or receives any
28 consideration for insuring for or against the drawing of any ticket in
29 any lottery whatever, whether drawn or to be drawn within this state
30 or not, or who receives any valuable consideration upon any
31 agreement to repay any sum or deliver the same, or any other
32 property, if any lottery ticket or number of any ticket in any lottery
33 shall prove fortunate or unfortunate, or shall be drawn or not be
34 drawn at any particular time or in any particular order, or who
35 promises or agrees to pay any sum of money, or to deliver any
36 goods, things in action or property, or to forbear to do anything for
37 the benefit of any person, with or without consideration, upon any
38 event or contingency dependent upon the drawing of any ticket in
39 any lottery, or who publishes any notice or proposal of any of the
40 purposes aforesaid, is guilty of a *gross* misdemeanor.

41 **Sec. 26.** NRS 462.320 is hereby amended to read as follows:
42 462.320 A person who lets or permits to be used any building
43 or vessel, or any portion thereof, knowing that it is to be used for
44 setting up, managing or drawing any lottery in violation of this



1 chapter, or for the purpose of selling or disposing of lottery tickets
2 in violation of this chapter, is guilty of a *gross* misdemeanor.

3 **Sec. 27.** NRS 463.0152 is hereby amended to read as follows:

4 463.0152 “Game” or “gambling game” means any game
5 played with cards, dice, equipment or any mechanical,
6 electromechanical or electronic device or machine for money,
7 property, checks, credit or any representative of value, including,
8 without limiting the generality of the foregoing, faro, monte,
9 roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-
10 half, big injun, klondike, craps, poker, chuck-a-luck, Chinese chuck-
11 a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow,
12 beat the banker, panguingui, slot machine, any banking or
13 percentage game or any other game or device approved by the
14 Commission, but does not include games played with cards in
15 private homes or residences in which no person makes money for
16 operating the game, except as a player, or games operated by
17 ~~[charitable or educational]~~ *qualified* organizations ~~[which]~~ *that* are
18 ~~[approved]~~ *registered* by the ~~[Board]~~ *Chair* pursuant to the
19 provisions of *chapter 462 of NRS . [463.409.]*

20 **Sec. 28.** NRS 463.160 is hereby amended to read as follows:

21 463.160 1. Except as otherwise provided in subsection 4 and
22 NRS 463.172 ~~[]~~ *and section 5 of this act*, it is unlawful for any
23 person, either as owner, lessee or employee, whether for hire or not,
24 either solely or in conjunction with others:

25 (a) To deal, operate, carry on, conduct, maintain or expose for
26 play in the State of Nevada any gambling game, gaming device,
27 inter-casino linked system, mobile gaming system, slot machine,
28 race book or sports pool;

29 (b) To provide or maintain any information service;

30 (c) To operate a gaming salon;

31 (d) To receive, directly or indirectly, any compensation or
32 reward or any percentage or share of the money or property played,
33 for keeping, running or carrying on any gambling game, slot
34 machine, gaming device, mobile gaming system, race book or sports
35 pool;

36 (e) To operate as a cash access and wagering instrument service
37 provider; or

38 (f) To operate, carry on, conduct, maintain or expose for play in
39 or from the State of Nevada any interactive gaming system,

40 ➤ without having first procured, and thereafter maintaining in
41 effect, all federal, state, county and municipal gaming licenses as
42 required by statute, regulation or ordinance or by the governing
43 board of any unincorporated town.

44 2. The licensure of an operator of an inter-casino linked system
45 is not required if:



1 (a) A gaming licensee is operating an inter-casino linked system
2 on the premises of an affiliated licensee; or

3 (b) An operator of a slot machine route is operating an inter-
4 casino linked system consisting of slot machines only.

5 3. Except as otherwise provided in subsection 4, it is unlawful
6 for any person knowingly to permit any gambling game, slot
7 machine, gaming device, inter-casino linked system, mobile gaming
8 system, race book or sports pool to be conducted, operated, dealt or
9 carried on in any house or building or other premises owned by the
10 person, in whole or in part, by a person who is not licensed pursuant
11 to this chapter, or that person's employee.

12 4. The Commission may, by regulation, authorize a person to
13 own or lease gaming devices for the limited purpose of display or
14 use in the person's private residence without procuring a state
15 gaming license.

16 5. For the purposes of this section, the operation of a race book
17 or sports pool includes making the premises available for any of the
18 following purposes:

19 (a) Allowing patrons to establish an account for wagering with
20 the race book or sports pool;

21 (b) Accepting wagers from patrons;

22 (c) Allowing patrons to place wagers;

23 (d) Paying winning wagers to patrons; or

24 (e) Allowing patrons to withdraw cash from an account for
25 wagering or to be issued a ticket, receipt, representation of value or
26 other credit representing a withdrawal from an account for wagering
27 that can be redeemed for cash,

28 ➔ whether by a transaction in person at an establishment or through
29 mechanical means, such as a kiosk or similar device, regardless of
30 whether that device would otherwise be considered associated
31 equipment. A separate license must be obtained for each location at
32 which such an operation is conducted.

33 6. As used in this section, "affiliated licensee" has the meaning
34 ascribed to it in NRS 463.430.

35 **Sec. 29.** NRS 462.055, 462.095, 463.409, 463.4091,
36 463.40915, 463.4092, 463.40925, 463.4093, 463.40935, 463.4094,
37 463.40945, 463.4095, 463.40955, 463.4096 and 463.40965 are
38 hereby repealed.

LEADLINES OF REPEALED SECTIONS

462.055 "Calendar quarter" defined.



- 462.095 "Executive Director" defined.
- 463.409 Approval by Board of game operated by charitable organization; conditions; exceptions.
 - 463.4091 Definitions.
 - 463.40915 "Calendar quarter" defined.
 - 463.4092 "Charitable or nonprofit activity" defined.
 - 463.40925 "Net proceeds" defined.
 - 463.4093 "Qualified organization" defined.
 - 463.40935 Administration of provisions by Board and Commission; regulations.
 - 463.4094 Requirements for operation of charitable bingo game without gaming license.
 - 463.40945 Registration and approval of qualified organization: Duties of Executive Director; revocable privilege; expiration.
 - 463.4095 Requirements for registration and approval of Executive Director.
 - 463.40955 Commission may require finding of suitability.
 - 463.4096 Prohibited acts concerning compensation of employees of qualified organizations and other persons.
 - 463.40965 Reporting and expenditure of net proceeds of charitable bingo.



