



HOUSE BILL 326: ENOUGH/Gaming Machines.

2021-2022 General Assembly

Committee:	House Commerce. If favorable, re-refer to Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 10, 2021
Introduced by:	Reps. Hurley, McNeill, Brisson, Carter	Prepared by:	Bill Patterson
Analysis of:	PCS to First Edition H326-CSSA-18		Committee Co-Counsel

OVERVIEW: *The Proposed Committee Substitute for House Bill 326 would: require the owner of a seized unlawful gaming machine to pay the reasonable storage and disposal costs incurred by the seizing law enforcement agency; authorize seizure of any vehicle used to transport an illegal gaming machine; provide that each access point allowing a person to operate a slot machine constitutes a separate slot machine or device; amend the definition of video gaming machine; and subject persons violating laws prohibiting slot machines or video gaming machines to fines.*

BILL ANALYSIS:

Section 1 of the PCS would entitle this act as the "End Nuisances of Unlawful Gaming Houses Act."

Section 2 would require the owner of an illegal gaming machine seized by a law enforcement agency to pay the reasonable storage and disposal costs incurred by the agency.

Section 3 would subject motor vehicles used to transport an illegal gaming machine to seizure by a court of competent jurisdiction.

Section 4 would amend the definition of slot machine or device to make each game console, play station, or other access point allowing a person to operate a slot machine a separate machine or device.

Section 5 would expand the definition of video gaming machine to encompass:

- Any video game whether or not dependent on skill or dexterity that is played in conjunction with revealing a prize as the result of an entry into a sweepstakes or with any other offering of an opportunity to obtain anything of value.
- Any video game not dependent on skill or dexterity involving random matching of different pictures, words, numbers, or symbols played in conjunction with revealing a prize as the result of an entry into a sweepstakes or with any other offering of an opportunity to obtain anything of value.
- A video slot game.

Section 6 would define the term "device dependent on skill or dexterity" as "a device where the element of chance is not present in such a manner as to thwart the exercise of skill, dexterity, or judgment," and would amend the definition of "entertaining display" to include:

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- A video game not dependent on skill or dexterity involving random matching of different pictures, words, numbers, or symbols played in conjunction with revealing a prize as the result of an entry into a sweepstakes or with any other offering to obtain anything of value.
- Any other video game whether dependent on chance or on skill or dexterity that is played while revealing a prize as the result of an entry into a sweepstakes or with any other offering of an opportunity to obtain anything of value.
- A video slot game.

Section 6 would also make it unlawful for any person to possess for the purpose of operation an electronic machine or device to conduct or promote a sweepstakes through the use of an entertaining display.

Section 7 would make it a Class G felony to possess five or more illegal video game machines, and would provide that any person convicted of a violation involving an unlawful gaming machine shall pay a fine of \$1,000 for each machine or device.

EFFECTIVE DATE: This act would become effective December 1, 2021, and would apply to offenses committed and seizures occurring on or after that date.