

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 877
Committee Substitute Favorable 5/7/93
Third Edition Engrossed 5/12/93
Senate Judiciary II Committee Substitute Adopted 7/7/93
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Short Title: Clarify Video Devices.

(Public)

Sponsors:

Referred to:

April 12, 1993

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE DEFINITION OF COIN-OPERATED MACHINES,
2 VIDEO GAMES, AND DEVICES AND TO INCREASE THE PUNISHMENT
3 FOR CERTAIN GAMBLING OFFENSES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 14-306 reads as rewritten:

7 "**§ 14-306. Slot machine or device defined.**

8 Any machine, apparatus or device is a slot machine or device within the provisions
9 of G.S. 14-296 through 14-309, if it is one that is adapted, or may be readily converted
10 into one that is adapted, for use in such a way that, as a result of the insertion of any
11 piece of money or coin or other object, such machine or device is caused to operate or
12 may be operated in such manner that the user may receive or become entitled to receive
13 any piece of money, credit, allowance or thing of value, or any check, slug, token or
14 memorandum, whether of value or otherwise, or which may be exchanged for any
15 money, credit, allowance or any thing of value, or which may be given in trade, or the
16 user may secure additional chances or rights to use such machine, apparatus or device;
17 or any other machine or device designed and manufactured primarily for use in
18 connection with gambling and which machine or device is classified by the United
19 States as requiring a federal gaming device tax stamp under applicable provisions of the
20 Internal Revenue Code. This definition is intended to embrace all slot machines and

1 similar devices except slot machines in which is kept any article to be purchased by
2 depositing any coin or thing of value, and for which may be had any article of
3 merchandise which makes the same return or returns of equal value each and every time
4 it is operated, or any machine wherein may be seen any pictures or heard any music by
5 depositing therein any coin or thing of value, or any slot weighing machine or any
6 machine for making stencils by the use of contrivances operated by depositing in the
7 machine any coin or thing of value, or any lock operated by slot wherein money or thing
8 of value is to be deposited, where such slot machines make the same return or returns of
9 equal value each and every time the same is operated and does not at any time it is
10 operated offer the user or operator any additional money, credit, allowance, or thing of
11 value, or check, slug, token or memorandum, whether of value or otherwise, which may
12 be exchanged for money, credit, allowance or thing of value or which may be given in
13 trade or by which the user may secure additional chances or rights to use such machine,
14 apparatus, or device, or in the playing of which the operator does not have a chance to
15 make varying scores or tallies.

16 The definition contained in the first paragraph of this section and G.S. 14-296, 14-
17 301, 14-302, and 14-305 does not include coin-operated machines, video games, and
18 ~~devices designed and manufactured for amusement only, the operation of which depends upon~~
19 ~~the skill or dexterity of the player used for amusement.~~ Included within this exception are
20 pinball machines, video games, and other mechanical ~~amusement~~-devices that ~~enable the~~
21 ~~player, based on his skill or dexterity,~~ involve the use of skill or dexterity to make varying
22 scores or tallies and to receive which, in actual operation, limit to eight the number of
23 accumulated credits or replays that may be played at one time and which may award
24 free replays or paper coupons that may be exchanged for prizes or merchandise with a
25 value not exceeding ten dollars (\$10.00), but may not be exchanged or converted to
26 money."

27 Sec. 2. G.S. 14-303 reads as rewritten:

28 **"§ 14-303. Violation of two preceding sections a misdemeanor.**

29 A violation of any of the provisions of G.S. ~~14-301, 14-301 or 14-302~~ shall be a
30 ~~misdemeanor punishable by a fine or imprisonment, or, in the discretion of the court, by both~~
31 misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the
32 court or both."

33 Sec. 3. G.S. 14-309 reads as rewritten:

34 **"§ 14-309. Violation made misdemeanor.**

35 Any person who violates any provision of G.S. 14-304 through 14-309 is guilty of a
36 ~~misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court~~
37 misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the
38 court or both."

39 Sec. 4. This act becomes effective December 1, 1993, and applies to offenses
40 occurring on or after that date.