

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Lewellen**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 23 TO ADD A NEW
9 CHAPTER CONCERNING VIDEO GAMING MACHINES; AND FOR OTHER
10 PURPOSES."

Subtitle

13 "AN ACT CONCERNING VIDEO GAMING MACHINES."

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17 SECTION 1. Arkansas Code Title 23 is amended to add the following new
18 chapter:

19 "CHAPTER 113.

20 23-113-101. Definitions. For the purpose of this chapter:

21 (1) Video gaming terminal means any electronic computerized video
22 game machine that, upon the insertion of cash, is available to play a video
23 game authorized by the racing commission, and which uses a video display and
24 microprocessors in which, by skill, the player may receive free games or
25 credits that can be redeemed for cash. The term does not include a machine
26 that directly dispenses coins, cash, or tokens.

27 (2) Video games means video games played on video gaming terminals
28 controlled by the racing commission.

29 (3) Pari-mutuel licensee means an entity licensed and authorized to
30 conduct pari-mutuel wagering.

31 (4) Licensed video gaming retailer means a pari-mutuel licensee
32 specifically licensed by the commission to become a licensed video gaming
33 retailer.

34 (5) Net terminal income means money placed into a video gaming
35 terminal less credits redeemed by players.

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23-113-102. Arkansas Racing Commission authorized to approve operation of video terminals.

(a) Notwithstanding the provisions of any other law, the Arkansas Racing Commission is authorized to conduct and control under its authority video games.

(b) Video gaming terminals may only be installed and operated at a pari-mutuel licensee facility which is specifically approved by the Arkansas Racing Commission to be a licensed video gaming retailer according to rules and regulations set forth by the commission.

23-113-103. Additional powers and duties of the commission.

In addition to the other powers and duties of the Arkansas Racing Commission, the commission shall promulgate and enforce reasonable rules and regulations relating to video games.

23-113-104. Exclusion of minors.

No person under the age of eighteen (18) years may play a video game authorized by this act, nor shall any licensed video gaming retailer knowingly permit a minor to play a video gaming terminal or knowingly pay a minor with respect to a video game credit slip. Violation of this section shall be punishable by a fine of five hundred dollars (\$500).

23-113-105. When games may be played.

Video games authorized by this chapter may be played at the licensed video gaming retailer_s facilities at such times as are approved by the racing commission.

23-113-106. Penalty for manipulation or tampering.

Any person who, with intent to manipulate the outcome, payoff or operation of a video gaming terminal, manipulates the outcome, prize, or operation of a video gaming terminal by physical or electronic means shall be guilty of a felony punishable by imprisonment for not more than ten (10) years or by a fine of not less than ten thousand dollars (\$10,000) or both.

1 23-113-107. All other acts and parts of acts inconsistent with any of
2 the provisions of this chapter are expressly declared not to apply to any
3 person, partnership, group, association, trust, or corporation that is a
4 licensed video gaming retailer in manner and form provided by this chapter."
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6 SECTION 2. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.
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10 SECTION 3. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.
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16 SECTION 4. All laws and parts of laws in conflict with this act are
17 hereby repealed.
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19 SECTION 5. EMERGENCY. It is hereby found and determined by the General
20 Assembly that the operation of video gaming machines by pari-mutuel licensees
21 is necessary for the enhancement of the services provided by pari-mutuel
22 licensees. Therefore, an emergency is hereby declared to exist and this act
23 being necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after its passage and
25 approval.
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