

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

4

HOUSE BILL 877  
Committee Substitute Favorable 5/7/93  
Third Edition Engrossed 5/12/93  
Senate Judiciary II Committee Substitute Adopted 7/7/93

Short Title: Clarify Video Devices.

(Public)

Sponsors:

Referred to:

April 12, 1993

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

27 "**§ 14-303. Violation of two preceding sections a ~~misdemeanor~~ felony.**

28 A violation of any of the provisions of G.S. ~~14-301, 14-301 or 14-302~~ shall be a  
29 ~~misdemeanor punishable by a fine or imprisonment, or, in the discretion of the court, by~~  
30 ~~both Class J felony."~~

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

32 "**§ 14-309. Violation made ~~misdemeanor~~ felony.**

33 Any person who violates any provision of G.S. 14-304 through 14-309 is guilty of a  
34 ~~misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court~~  
35 Class J felony."

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