

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 366
HOUSE BILL 877

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

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

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

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

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

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

"§ 14-309. Violation made misdemeanor.

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

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

In the General Assembly read three times and ratified this the 17th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives