

2024 -- H 7745

LC004327

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CASINO GAMING

Introduced By: Representatives Costantino, Phillips, Lima, Cardillo, and Edwards

Date Introduced: February 28, 2024

Referred To: House Judiciary

(Dept. of Public Safety)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-61.3-2 of the General Laws in Chapter 42-61.3 entitled "Casino
2 Gaming" is hereby amended to read as follows:

3 **42-61.3-2. Casino gaming crimes.**

4 (a) Definitions as used in this chapter:

5 (1) "Casino gaming" shall have the meaning set forth in § 42-61.2-1.

6 (2) "Cheat" means to alter the element of chance, method of selection, or criteria that
7 determines:

8 (i) The result of the game;

9 (ii) The amount or frequency of payment in a game, including intentionally taking
10 advantage of a malfunctioning machine;

11 (iii) The value of a wagering instrument; or

12 (iv) The value of a wagering credit.

13 (3) "Cheating device" means any physical, mechanical, electromechanical, electronic,
14 photographic, or computerized device used in such a manner as to cheat, deceive, or defraud a
15 casino game. This includes, but is not limited to:

16 (i) Plastic, tape, string, or dental floss, or any other item placed inside a coin or bill acceptor
17 or any other opening in a video lottery terminal in a manner to simulate coin or currency acceptance;

18 (ii) Forged or stolen keys used to gain access to a casino game to remove its contents; and

19 (iii) Game cards or dice that have been tampered with, marked, or loaded.

1 (4) "Gaming facility" means any facility authorized to conduct casino gaming as defined
2 in § 42-61.2-1, including its parking areas and/or adjacent buildings and structures.

3 (5) "Paraphernalia for the manufacturing of cheating devices" means the equipment,
4 products, or materials that are intended for use in manufacturing, producing, fabricating, preparing,
5 testing, analyzing, packaging, storing, or concealing a counterfeit facsimile of the chips, tokens,
6 debit instruments, or other wagering devices approved by the division of state lottery or lawful coin
7 or currency of the United States of America. This term includes, but is not limited to:

8 (i) Lead or lead alloy molds, forms, or similar equipment capable of producing a likeness
9 of a gaming token or United States coin or currency;

10 (ii) Melting pots or other receptacles;

11 (iii) Torches, tongs, trimming tools, or other similar equipment; and

12 (iv) Equipment that can be used to manufacture facsimiles of debit instruments or wagering
13 instruments approved by the division of state lottery.

14 (6) "Table game" shall have the meaning set forth in § 42-61.2-1.

15 (7) "Wager" means a sum of money or representative of value that is risked on an
16 occurrence for which the outcome is uncertain.

17 [\(8\) "iGaming" shall have the meaning set forth in § 42-61.2-1.](#)

18 (b) Prohibited acts and penalties. It shall be unlawful for any person to:

19 (1) Use, or attempt to use, a cheating device in a casino game or to have possession of such
20 a device in a gaming facility. Any person convicted of violating this section shall be guilty of a
21 felony punishable by imprisonment for not more than ten (10) years or a fine of not more than one
22 hundred thousand dollars (\$100,000), or both;

23 (2) Use, acquire, or possess paraphernalia with intent to cheat, or attempt to use, acquire,
24 or possess, paraphernalia with the intent to manufacture cheating devices. Any person convicted of
25 violating this section shall be guilty of a felony punishable by imprisonment for not more than ten
26 (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or both;

27 (3) Cheat, or attempt to cheat, in order to take or collect money or anything of value,
28 whether for one's self or another, in or from a casino game in a gaming facility. Any person
29 convicted of violating this section shall be guilty of a felony punishable by imprisonment for not
30 more than ten (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or
31 both;

32 (4) Conduct, carry on, operate, deal, or attempt to conduct, carry on, operate, or deal, or
33 allow to be conducted, carried on, operated, or dealt, any cheating game or device. Any person
34 convicted of violating this section shall be guilty of a felony punishable by imprisonment for not

1 more than ten (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or
2 both;

3 (5) Manipulate or alter, or attempt to manipulate or alter, with the intent to cheat, any
4 physical, mechanical, electromechanical, electronic, or computerized component of a casino game,
5 contrary to the designed and normal operational purpose for the component. Any person convicted
6 of violating this section shall be guilty of a felony punishable by imprisonment for not more than
7 ten (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or both;

8 (6) Use, sell, or possess, or attempt to use, sell, or possess, counterfeit: coins, slugs, tokens,
9 gaming chips, debit instruments, player rewards cards, or any counterfeit wagering instruments
10 and/or devices resembling tokens, gaming chips, debit or other wagering instruments approved by
11 the division of state lottery for use in a casino game in a gaming facility. Any person convicted of
12 violating this section shall be guilty of a felony punishable by imprisonment for not more than ten
13 (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or both;

14 (7)(i) Place, increase, decrease, cancel, or remove a wager or determine the course of play
15 of a table game, or attempt to place, increase, decrease, cancel, or remove a wager or determine the
16 course of play of a table game, with knowledge of the outcome of the table game where such
17 knowledge is not available to all players; or

18 (ii) Aid, or attempt to aid, anyone in acquiring such knowledge for the purpose of placing,
19 increasing, decreasing, cancelling, or removing a wager or determining the course of play of the
20 table game. Any person convicted of violating this section shall be guilty of a felony punishable by
21 imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
22 dollars (\$100,000), or both;

23 (8) Claim, collect, or take, or attempt to claim, collect, or take, money or anything of value
24 in or from a casino game or gaming facility, with intent to defraud or to claim, collect, or take an
25 amount greater than the amount won. Any person convicted of violating this section shall be guilty
26 of a felony punishable by imprisonment for not more than ten (10) years or a fine of not more than
27 one hundred thousand dollars (\$100,000), or both;

28 (9) For any employee of a gaming facility or anyone acting on behalf of or at the direction
29 of an employee of a gaming facility, to knowingly fail to collect, or attempt to fail to collect, a
30 losing wager or pay, or attempt to pay, an amount greater on any wager than required under the
31 rules of a casino game. Any person convicted of violating this section shall be guilty of a felony
32 punishable by imprisonment for not more than ten (10) years or a fine of not more than one hundred
33 thousand dollars (\$100,000), or both;

34 (10) Directly or indirectly offer, or attempt to offer, to conspire with another, or solicit, or

1 attempt to solicit, from another, anything of value, for the purpose of influencing the outcome of a
2 casino game. Any person convicted of violating this section shall be guilty of a felony punishable
3 by imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
4 dollars (\$100,000), or both;

5 (11) Use or possess, or attempt to use or possess, at a gaming facility, without the written
6 consent of the director of the division of state lottery, any electronic, electrical, or mechanical
7 device designed, constructed, or programmed to assist the user or another person with the intent to:

8 (i) Predict the outcome of a casino game;

9 (ii) Keep track of the cards played;

10 (iii) Analyze and/or predict the probability of an occurrence relating to the casino game;
11 and/or

12 (iv) Analyze and/or predict the strategy for playing or wagering to be used in the casino
13 game. Any person convicted of violating this section shall be guilty of a felony punishable by
14 imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
15 dollars (\$100,000), or both;

16 (12) Skim, or attempt to skim, casino gaming proceeds by excluding anything of value
17 from the deposit, counting, collection, or computation of:

18 (i) Gross revenues from gaming operations or activities;

19 (ii) Net gaming proceeds; and/or

20 (iii) Amounts due the state pursuant to applicable casino gaming-related laws. Any person
21 convicted of violating this section shall be guilty of a felony punishable by imprisonment for not
22 more than ten (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or
23 both;

24 (13) Cheat, or attempt to cheat, in the performance of his or her duties as a dealer or other
25 casino employee by conducting one's self in a manner that is deceptive to the public or alters the
26 normal random selection of characteristics or the normal chance or result of the game, including,
27 but not limited to, using cards, dice, or any cheating device(s) that have been marked, tampered
28 with, or altered. Any person convicted of violating this section shall be guilty of a felony punishable
29 by imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
30 dollars (\$100,000), or both;

31 (14) Possess or use, or attempt to use, without proper authorization from the state lottery
32 division, while in the gaming facility any key or device designed for the purpose of or suitable for
33 opening or entering any self-redemption unit (kiosk), vault, video lottery terminal, drop box, or any
34 secured area in the gaming facility that contains casino gaming and/or surveillance equipment,

1 computers, electrical systems, currency, cards, chips, dice, or any other thing of value. Any person
2 convicted of violating this section shall be guilty of a felony punishable by imprisonment for not
3 more than ten (10) years or a fine of not more than one hundred thousand dollars (\$100,000), or
4 both;

5 (15) Tamper and/or interfere, or attempt to tamper and/or interfere, with any casino gaming
6 and/or surveillance equipment, including, but not limited to, related computers and electrical
7 systems. Any person convicted of violating this section shall be guilty of a felony punishable by
8 imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
9 dollars (\$100,000), or both;

10 (16) Access, interfere with, infiltrate, hack into, or infect, or attempt to access, interfere
11 with, infiltrate, hack into, or infect, any casino gaming-related computer, network, hardware and/or
12 software or other equipment. Any person convicted of violating this section shall be guilty of a
13 felony punishable by imprisonment for not more than ten (10) years or a fine of not more than one
14 hundred thousand dollars (\$100,000), or both;

15 (17) Sell, trade, barter, profit from, or otherwise use to one's financial advantage, or attempt
16 to sell, trade, barter, profit from, or otherwise use to one's financial advantage, any confidential
17 information related to casino-gaming operations, including, but not limited to, data (whether stored
18 on a computer's software, hardware, network, or elsewhere), passwords, codes, surveillance and
19 security characteristics and/or vulnerabilities, and/or non-public internal controls, policies, and
20 procedures related thereto. Any person convicted of violating this section shall be guilty of a felony
21 punishable by imprisonment for not more than ten (10) years or a fine of not more than one hundred
22 thousand dollars (\$100,000), or both;

23 (18) Conduct a gaming operation, or attempt to conduct a gaming operation, where
24 wagering is used or to be used without a license issued by, or authorization from, the division of
25 state lottery. Any person convicted of violating this section shall be guilty of a felony punishable
26 by imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
27 dollars (\$100,000), or both;

28 (19) Provide false information and/or testimony to the division of state lottery, department
29 of business regulation, or their authorized representatives and/or the state police while under oath.
30 Any person convicted of violating this section shall be guilty of a felony punishable by
31 imprisonment for not more than ten (10) years or a fine of not more than one hundred thousand
32 dollars (\$100,000), or both;

33 (20) Play a casino game, [other than an iGaming casino game](#), and/or make a wager, or
34 attempt to play a casino game, [other than an iGaming casino game](#), and/or make a wager, if under

1 the age of eighteen (18) years. Any person charged under this section shall be referred to family
2 court; ~~or~~

3 (21) Permit, or attempt to permit, a person to play a casino game, other than an iGaming
4 casino game, and/or accept, or attempt to accept, a wager from a person, if he or she is under the
5 age of eighteen (18) years. Any person convicted of violating this section shall be guilty of a
6 misdemeanor punishable by imprisonment for not more than one year or a fine of not more than
7 one thousand dollars (\$1,000), or both;

8 (22) Play an iGaming casino game and/or make a wager, or attempt to play an iGaming
9 casino game and/or make a wager, if under the age of twenty-one (21) years. Any person convicted
10 of violating this section, if over the age of eighteen (18) and under the age of twenty-one (21), shall
11 be guilty of a misdemeanor punishable by imprisonment for not more than one year or a fine of not
12 more than one thousand dollars (\$1,000), or both. Any person charged under this section that is
13 under the age of eighteen (18) shall be referred to family court; or

14 (23) Permit, or attempt to permit, a person to play an iGaming casino game and/or accept,
15 or attempt to accept, a wager from a person, if they are under the age of twenty-one (21) years. Any
16 person convicted of violating this section shall be guilty of a misdemeanor punishable by
17 imprisonment for not more than one year or a fine of not more than one thousand dollars (\$1,000),
18 or both.

19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- CASINO GAMING

- 1 This act would amend the law relating to casino crimes to be consistent with the advent of
- 2 iGaming and the relevant age restrictions to participate in iGaming.
- 3 This act would take effect upon passage.

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