

2C:37-1

LEGISLATIVE HISTORY CHECKLIST

(Amusement games--electronic & mechanical--allow free games as prizes for high scores)

NJSA 2C:37-1

LAWS 1982

CHAPTER 60

Bill No. A807

Sponsor(s) Zangari

Date Introduced Feb. 22, 1982

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 7, 1982

Senate July 1, 1982

Date of approval July 8, 1982

Following statements are attached if available:

Sponsor statement	<u>Yes</u>	No (Below) Also attached: Senate amendments (adopted 6-28-82) with statement
Committee Statement: <u>Assembly</u>	<u>Yes</u>	No
<u>Senate</u>	<u>Yes</u>	No
Fiscal Note	Yes	No
Veto Message	Yes	No
Message on signing	Yes	No

Following were printed:

Reports	Yes	No
Hearings	Yes	No

Sponsor's statement:

This bill amends the New Jersey Code of Criminal Justice to make it legal to offer free games on mechanical or electronic amusement devices, such as pinball machines and electronic games, as rewards for the attainment of certain scores on those devices. The present language of the code prohibits such an offer.

6/22/81

883

7-8-82

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 807**STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 22, 1982

By Assemblyman ZANGARI

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning games on certain mechanical and electronic
amusement devices and amending N. J. S. 2C:37-1.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey*:

1 1. N. J. S. 2C:37-1 is amended to read as follows:

2 2C:37-1. Definitions. The following definitions apply to this
3 chapter and to chapter 64:

4 a. "Contest of chance" means any contest, game, pool, gaming
5 scheme or gaming device in which the outcome depends in a ma-
6 terial degree upon an element of chance, notwithstanding that skill
7 of the contestants or some other persons may also be a factor
8 therein.

9 b. "Gambling" means staking or risking something of value
10 upon the outcome of a contest of chance or a future contingent event
11 not under the actor's control or influence, upon an agreement or
12 understanding that he will receive something of value in the event
13 of a certain outcome.

14 c. "Player" means a person who engages in any form of gam-
15 bling solely as a contestant or bettor, without receiving or becoming
16 entitled to receive any profit therefrom other than personal gam-
17 bling winnings, and without otherwise rendering any material
18 assistance to the establishment, conduct or operation of the par-
19 ticular gambling activity. A person who gambles at a social game
20 of chance on equal terms with the other participants therein does
21 not thereby render material assistance to the establishment, con-

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendment adopted June 28, 1982.

**—Senate amendment adopted June 28, 1982.

22 duct or operation of such game if he performs, without fee or
23 remuneration, acts directed toward the arrangement or facilitation
24 of the game, such as inviting persons to play, permitting the use
25 of premises therefor or supplying cards or other equipment used
26 therein. A person who engages in "bookmaking" as defined in
27 this section is not a "player."

28 d. "Something of value" means any money or property, any
29 token, object or article exchangeable for money or property, or any
30 form of credit or promise directly or indirectly contemplating
31 transfer of money or property or of any interest therein, or involv-
32 ing extension of a service, entertainment or a privilege of playing
33 at a game or scheme without charge. *This definition, however, does*
34 *not include any form of promise involving extension of a privilege*
35 *of playing at a game without charge on a mechanical or electronic*
36 *amusement device*, other than a slot machine* as an award for*
37 *the attainment of a certain score on that device.*

38 e. "Gambling device" means any device, machine, paraphernalia
39 or equipment which is used or usable in the playing phases of any
40 gambling activity, whether such activity consists of gambling
41 between persons or gambling by a person involving the playing of
42 a machine. Notwithstanding the foregoing, lottery tickets, policy
43 slips and other items used in the playing phases of lottery and
44 policy schemes are not gambling devices.

45 f. "Slot machine" means any mechanical, electrical or other
46 device, contrivance or machine which, upon insertion of a coin,
47 token or similar object therein, or upon payment of any considera-
48 tion whatsoever, is available to play or operate, the play or opera-
49 tion of which, whether by reason of the skill of the operator or
50 application of the element of chance, or both, may deliver or entitle
51 the person playing or operating the machine to receive cash or
52 tokens to be exchanged for cash, whether the payoff is made
53 automatically from the machine or in any other manner whatsoever.
54 A device so constructed, or readily adaptable or convertible to
55 such use, is no less a slot machine because it is not in working
56 order or because some mechanical act of manipulation or repair
57 is required to accomplish its adaptation, conversion or workability.

58 g. "Bookmaking" means advancing gambling activity by unlaw-
59 fully accepting bets from members of the public upon the outcome
60 of future contingent events as a business.

61 h. "Lottery" means an unlawful gambling scheme in which (a)
62 the players pay or agree to pay something of value for chances,
63 represented and differentiated by numbers or by combinations of
64 numbers or by some other media, one or more of which chances

65 are to be designated the winning ones; and (b) the winning chances
66 are to be determined by a drawing or by some other method based
67 upon the element of chance; and (c) the holders of the winning
68 chances are to receive something of value.

69 i. "Policy" or "the numbers game" means a form of lottery
70 in which the winning chances or plays are not determined upon the
71 basis of a drawing or other act on the part of persons conducting or
72 connected with the scheme, but upon the basis of the outcome or
73 outcomes of a future contingent event or events otherwise unre-
74 lated to the particular scheme.

75 j. "Gambling resort" means a place to which persons may
76 resort for engaging in gambling activity.

77 k. "Unlawful" means not specifically authorized by law.

1 2. This act shall take effect immediately.

**ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE**

STATEMENT TO
ASSEMBLY, No. 807
without recommendation

STATE OF NEW JERSEY

DATED: MAY 20, 1982

This bill amends the New Jersey Code of Criminal Justice to make it legal to offer free games on mechanical or electronic amusement devices, such as pinball machines and electronic games as rewards for the attainment of certain scores on those devices. The Attorney General's office has reviewed this bill and has indicated that the present language does indeed prohibit such an offer.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 807

STATE OF NEW JERSEY

DATED: JUNE 24, 1982

As presently worded, chapter 37 (gambling offenses) of the criminal code technically prohibits as a form of lottery the awarding of free games on mechanical or electronic amusement devices (i.e. pinball machines and electronic games) as a reward for the attainment of certain scores on those devices. This bill would clarify that the awarding of free games for the attainment of certain scores on mechanical or electronic amusement devices is legal.

ADOPTED

JUN 28 1982

XII-5/vi
6-28-82

SENATE

~~Assembly~~ Amendments

OK
af

to

Assembly Bill No. 807

(Proposed by Senator Perskie 6-28-82)

Amend:

Page	Sec.	Line	
2	1	36	After "device" insert ", other than a slot machine,"

STATEMENT

The purpose of this amendment is to make clear that the legalization of offering free games on mechanical or electronic amusement devices, such as pinball and electronic games, does not extend to slot machines.

...ive any prout therefrom other than personal gam-
... without otherwise rendering any material